



CHRISTMAS

Who will top the seasonal charts?

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EXCLUSIVE

An insider's view of the Palace

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THE TIMES

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No. 64,504

TUESDAY DECEMBER 1 1992

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45p

Lamont faces audit enquiry into help with legal bills

■ The Chancellor of the Exchequer has emerged relatively unscathed from the Thresher's wine-buying episode, only to confront an official enquiry into the dispute over his legal fees

By Philip Webster, Chief Political Correspondent

PRESSURE on Norman Lamont increased last night with the announcement that the National Audit Office is to investigate the use of public money to pay part of his legal fees from the evicton of a "sex therapist" renting his home.

The Treasury's payment of £4,700 to the Chancellor's solicitors was not specifically reported to the audit office — appearing in the department's accounts only under the general heading "running costs" — so it was not examined. But now Sir John Bourn, the Comptroller and Auditor General, is to look into the matter "for his own satisfaction and concern". His enquiry is expected to take two to three weeks.

Mr Lamont's position had earlier been eased when two

exchanges, Tories accused Labour of muck-taking when Gordon Brown tried unsuccessfully to get an emergency debate on the affair. Mr Brown had demanded that Mr Lamont be brought before the Commons to answer public concern about the "questionable circumstances" surrounding the payment of public funds to the solicitor Peter Carter-Ruck. Mr Brown said that Mr Lamont must explain why the taxpayer should pay for what was "a private matter that in no way arises from his duties as Chancellor". He also demanded that the Chancellor explain why secret arrangements meant that the public would never have known that the payment had been made.

The audit office said last night that the account in which the £4,700 appeared had been certified and reported to Parliament. However, it was never examined because it was not identified as a special payment by the Treasury. Instead, it appeared under the broad heading of "Treasury running costs" amounting to some £55 million. Since the figure over the weekend, it had been identified.

Earlier, the Treasury had rushed out a series of previously secret documents to support Mr Lamont's case, including a letter to Mr Lamont from Sir Peter Middleton, the former Treasury permanent secretary who authorised the payment. The letter, dated May 1 and marked "personal", referred to "the recent incident over your house which caused you considerable expense".

He wrote: "Much of this was the result of your position as Chancellor of the Exchequer and the need to take immediate action. It would be unreasonable that you should have to bear the full cost of the legal expenses which you had to meet from your own pocket. I suggest that the Treasury should bear all the initial legal costs in getting out a statement and subsequent costs in handling press enquiries. Treasury ought also to bear a share of the costs of the legal proceedings to secure the removal of an unsatisfactory tenant and all those associated with the application for an early hearing."

Also released was an inter-

OFF-LICENCE STAFF SUSPENDED FOR FABRICATING STORY



John Onanuga: admitted lying about Norman Lamont. He is to be disciplined

nal Treasury memorandum with the invoice from the lawyers "in respect of charges which the Chancellor incurred following disclosures in the News of the World earlier this year". The letter says: "Sir T. Burns (Terence Burns now Permanent Secretary) and Sir Peter Middleton before him, agreed that we should pick up the legal charges relating to the initial statement and press

handling. They did so on the grounds that it was important quickly to put the record straight so as to retain full confidence in the office of Chancellor and his holder and that subsequent later articles were an attack on Mr Lamont's pursuit of his duties as Chancellor."

Mr Lamont, who sent the documents to Mr Brown, said in an accompanying letter that

the solicitors' bill "makes it crystal clear that the Treasury met none of the costs of evicting my tenants; only those costs related to the issuing of a press statement on the evening of April 13 and the handling of subsequent press inquiries".

MP's attack, page 2
Janet Daley, and
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Twists, turns and lies on the road to 'Threshergate'

By Ray Clancy

A WINE store manager and his assistant yesterday admitted making up a story that Norman Lamont, the Chancellor, had bought a bottle of cheap champagne and 20 cigarettes from a shop in a seedy part of London.

David Newton, manager of Thresher in Praed Street, Paddington, and John Onanuga, claimed that Mr Lamont had bought a bottle of Bricot champagne for £15.49 and a packet of 20 Raffles cigarettes for £1.98 on Monday November 16. Last night they said through the company that they were "deeply sorry" and had not realised that the story would be splashed across the front pages of the nation's newspapers. Both men have been suspended and are to be disciplined.

They made up the story on the spur of the moment when reporters came into their shop asking if Mr Lamont had been in to buy anything recently. "They have admitted totally fabricating the story of Mr Lamont's visit to the Praed Street shop on 16 November. Both Mr Newton and Mr Onanuga deeply regret the matter and had no intention of damaging Mr Lamont's reputation. They had no idea that it would result in such a furore," said a company statement from Thresher.

Mr Lamont furiously denied that he had visited the store although he later admitted that he had shopped in another branch in Connaught Street, Marble Arch, the night before and bought three bottles of red wine.

The story came just after a tabloid newspaper revealed that Mr Lamont had not paid his Access bill despite numerous reminders and was £470 over his £2,000 limit. The Sun also said that Mr Lamont had last used his credit card at a branch of Thresher near Paddington for a £17.47 purchase.

The next day other newspapers quoted Mr Onanuga as saying that Mr Lamont had come into the shop and looked at the cheapest bottle

of champagne and then asked for the next bottle up. Mr Onanuga claimed he pointed out the Bricot and Mr Lamont asked for a bottle from the chilled cabinet.

Eventually the Treasury, along with Thresher, rallied to support Mr Lamont and a copy of a credit card receipt was produced for the media. It showed that Mr Lamont bought two bottles of Jean Paul Rartier claret at £3.99 each and a bottle of Margaux at £9.49 on Sunday November 15 at 7.20pm. Mr Lamont only smokes small cigars and his wife does not smoke, officials said.

The fact that the alleged Praed Street purchase totalled £17.47, the same as the real purchase, caused bosses at Thresher to be suspicious. They ran a computer search to try to trace the alleged purchase but no receipt was ever found. Also Mr Onanuga told journalists that the cigarettes cost £1.98 when in fact they were priced at £2.02.

An internal investigation began immediately, with both men being called to the company's headquarters in Welwyn Garden City, Hertfordshire, for questioning. They admitted that they had made up the story when approached by reporters. It had all been a bit of a laugh. They had read that Mr Lamont had bought

Continued on page 2, col 7

Harley Street doctor jailed for rapes

By Lin Jenkins

THOMAS Courtney, a Harley Street gynaecologist, was jailed for seven years at the Old Bailey yesterday for raping or indecently assaulting four women visiting his surgery.

Judge Lawrence Verney, Recorder of London, told him: "There can be no doubt your conviction at this court means the end of your career and a career which I am prepared to accept has done some good to a great many people. But in this case you took advantage of your position as a doctor to commit offences which cannot be forgiven." The judge said he had taken advantage of his medical knowledge to render his victims unable to resist.

Courtney, 46, of Cricklewood, north London, showed no emotion as he was sentenced to seven years imprisonment on each of two rape charges and four years on each of two indecent assault charges. The sentences are to run concurrently. Courtney had denied the charges which took place between February 1991 and January this year.

Two of the victims were given spiked drinks before being raped, leaving both of them barely able to recall the details, leading them to believe that they would not be believed if they reported him. Two others, one a German student, were abused with sex aids after going to his empty surgery expecting to be interviewed for work.

Detective Inspector Mike Bennett, who arrested the doctor, said his private practice and charity created ideal conditions in which to get away with the crimes. "In the Courtney Foundation, he set up the perfect environment to commit these types of offences. Courtney has got to have been the perfect rapist who left victims thinking 'Did that really happen to me?'"

Full details, page 3



off-licence workers admitted that they had fabricated a story that he had bought a bottle of champagne and cigarettes from their Paddington shop. But the row over the solicitor's bill refused to go away.

Conservative MPs privately voiced doubts over the use of public and party funds to pay the bill, totalling some £23,000, and Dr Geoffrey Riordan, the chairman of Mr Lamont's constituency association, told the BBC's *The World at One* that he would like "a little more information" about the payment. "I think the man in the street does find it strange. I do not think that all of us — the people who do the basic work — can blithely shrug this sort of thing off."

During rowdy Commons

Sunnie Mann dies of cancer in Cyprus

By Michael Theodorou and Kate Alderson

SUNNIE Mann, the flamboyant and courageous wife of Jack Mann, the former British hostage, died yesterday in a clinic in Nicosia, Cyprus, after a long battle against cancer. She was 79.

Mrs Mann had been admitted to hospital with chest pains three weeks ago. Last night her husband, who is 78, was being comforted at his home in Nicosia by friends and diplomats from the British high commission. He had been at her bedside but left shortly before she died.

Dr Helen Soteriou of the Evangelistria Clinic said Mrs Mann's condition had deteriorated overnight and she died quickly. Mrs Mann, a heavy smoker, fought her illness with the same bravery that helped her survive the captivity of her husband.

John Major joined Terry Waite and John McCarthy, both also formerly held hos-



Sunnie Mann: fought her illness with courage

tage in Lebanon, in sending condolences to Mr Mann. The prime minister said he was saddened by Mrs Mann's death. "Sunnie's courage and fighting spirit throughout Jackie's imprisonment made her a national figure," he said, adding that the couple had won the whole country's admiration and affection.

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Britain agrees to increase intake of Bosnian refugees

By Richard Ford, Home Correspondent

BRITAIN is to double its intake of Bosnian refugees by accepting a further 3,400 for settlement from the former Yugoslavia.

In the face of pressure from the opposition and refugee groups to admit more Bosnians, the government announced yesterday that 1,000 principle asylum seekers and up to three family members each will be allowed to settle in the United Kingdom. The refugees will come from Bosnian Serb detention camps and the first groups will be housed in a former mental hospital in Surrey, a refugee hostel in London and a former residential care home owned by the Red Cross in Cambridge.

Charles Wardle, Home Office minister responsible for immigration, said the Refugee Council would find them more permanent housing. Ministers have insisted that they will accept only refugees

identified by the United Nations High Commissioner for Refugees and the International Committee of the Red Cross. The government announced earlier this month that it would take 600 refugees. In addition, 40,000 people from the former Yugoslav republics have been accepted as visitors and a further 4,800 have applied for asylum.

The refugees would be entitled to the statutory benefits and services available to the rest of the population, Mr Wardle said. Arrangements had been made to receive the first group of 150 as soon as UN confirmed that they were ready to leave.

"I am sure that we all hope these evacuees will be able to return in due course to their own country. They will be admitted to this country exceptionally outside the immigration rules for six months initially. We shall obviously

wish to review the position in the light of individual circumstances and the situation in the former Yugoslavia," he said.

"The British Red Cross will liaise with the International Committee of the Red Cross to trace the dependents of the former detainees and arrangements will be made in consultation with the Foreign Office and voluntary organisations to bring them here."

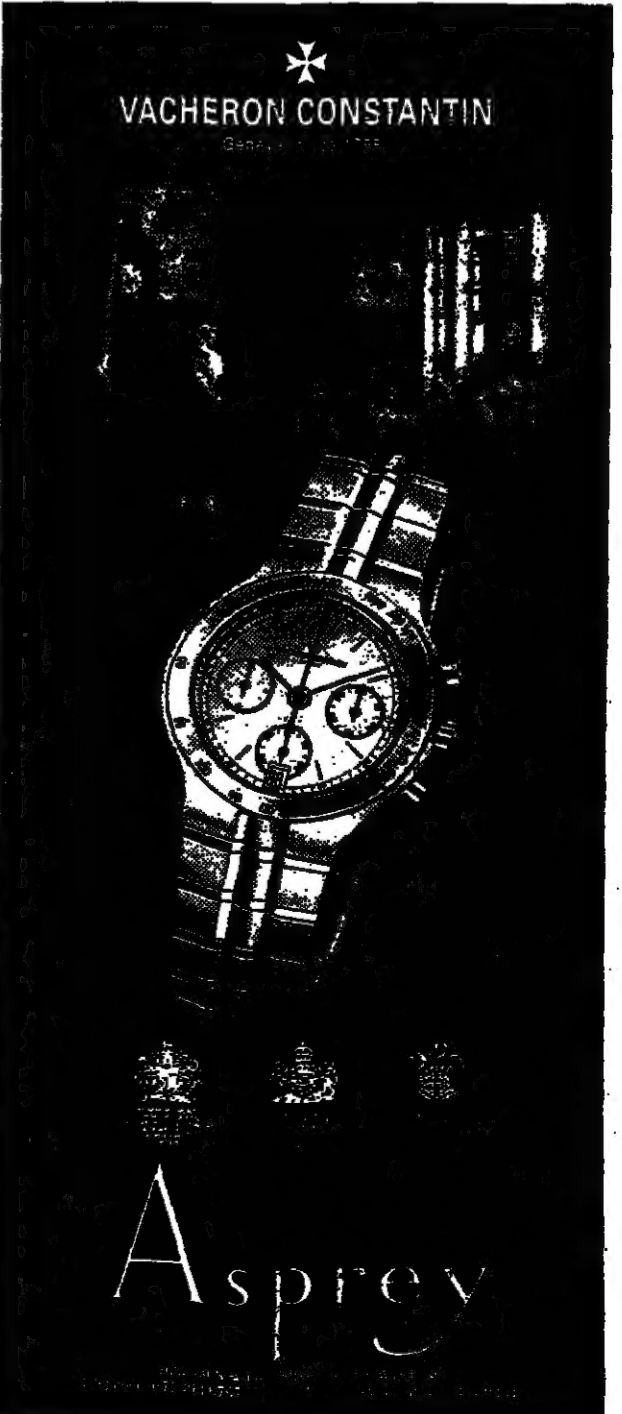
The size and timing of further arrivals depended partly on how quickly international organisations could bring the refugees out of detention to transit camps.

Mr Wardle said that the government would fund the transport of the refugees and reimburse the costs incurred by the Refugee Council and the British Red Cross, who will provide initial reception support and accommodation.

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'Something rotten when decision came as Treasury cut legal aid'

MPs attack decision to pay Lamont's legal bill

As MPs attack the Treasury decision to pay legal fees for the Chancellor, the spotlight falls on the press relations role of lawyers

By FRANCES GIBB, LEGAL CORRESPONDENT

THE Treasury's decision to pick up Norman Lamont's legal bill for fees incurred by solicitors Peter Carter-Ruck & Partners prompted angry reactions from MPs yesterday. They pointed to recent Treasury cuts in legal aid.

A Liberal Democrat, Simon Hughes, said at Commons question time that there was "something rotten in the state of Britain" if proposals from Norman Lamont to deprive millions of people of legal aid came at a time when the Chancellor had his own "private legal aid scheme".

Paul Boateng, Labour's legal affairs spokesman, said Mr Lamont was "less than deserving a case". If the Chancellor did have to employ a solicitor at public expense he should get a cheaper one.

The basis and extent of the legal subsidy emerged yesterday from correspondence between the Chancellor and the Treasury. This showed that

£4,700 of a £23,000 legal bill run up by Mr Lamont in evicting a tenant from his flat, has illuminated a little-publicised role of lawyers: that of handling press relations on behalf of clients.

For Peter Carter-Ruck & Partners, who are used to acting for the famous, it is a common role — and one for which the client pays. Mr Carter-Ruck said: "We do get quite a number of cases where we are in communication with the press on behalf of clients and obviously it does involve quite a lot of work."

He had journalists knocking at his door yesterday and was frequently telephoned at night and at weekends. "One reason that we frequently are asked to handle the press is because we deal with a number of high profile clients," he said. Other solicitors did the same thing but to a "lesser extent".

Mr Carter-Ruck said he would normally advise clients to leave press handling to his firm. "Many prefer to do so, if there has been publicity, whether fair or unfair."

Details of Mr Lamont's bill were outlined yesterday. The firm's invoice was accompanied by an internal Treasury memorandum for £4,700 "in respect of charges which the Chancellor incurred following disclosures in the *News of the World* earlier this year".

The invoice, addressed to Mr and Mrs Lamont at 11, Downing Street, referred to "our professional charges acting for you in advising you on publications in the national press and ancillary matters: £3,690; telephone calls, postage, couriers, faxes and photocopying: £310; total £4,000. VAT at 17.5 per cent: £700. Total £4,700."

Yesterday Andrew Stephenson, the partner at Peter Carter-Ruck who dealt with the eviction and press relations for Mr Lamont, said that from memory a third "if not half" of his time had been spent dealing with press enquiries when the eviction case originally came to court. "This had a lot to do with the fact that it was the Chancellor who had taken proceedings rather than the issue of eviction."

The disclosure that the Treasury party picked up most of Mr Lamont's debts prompted immediate suggestions that Conservative Central Office or the government whips administer a "slush fund" for the benefit of financially embarrassed ministers or MPs. The suggestions were being denied yesterday at Westminster by whips and ministers.

Such mechanistic thinking is anathema to the Tory party. Instead, as befits an organisation run on the informal lines of a gentlemen's club, welfare is dispensed without strict reference to a rulebook.

One former Tory party chairman with more than a passing acquaintance with frontbench and backbench hard-luck stories was in no doubt. "I wish we did have a slush fund, but we have not."

Other ministers, MPs and whips were equally adamant that there is no pot of gold for the MP who has over-stretched himself and finds his creditors hammering on his door. But there is an extensive network of mutual support that can be relied upon to rescue many a supplicant.

If a backbencher is in trouble he will first call on his whip. Depending on the circumstances, a collection may be discreetly launched on his behalf, with a handful of close friends approaching sympathetic figures within the Commons and beyond for gifts or loans. A minister, particularly a senior figure such as Mr Lamont, could be expected to approach either the chief whip or the party chairman for help, and again the hat would be passed around.

The beneficiary may be unaware of the precise moves being made on his behalf or the identity of his benefactors. But he will sleep more peacefully at night.



Legally helped: Mr Lamont leaves Downing Street yesterday

Informal club helps hard-up ministers

By Nicholas Wood, political correspondent

So where does a hard-up Chancellor of the Exchequer turn when he is short of money? In the seventies, Denis Healey sought offshore funds from the International Monetary Fund. In the early summer of last year, Norman Lamont found salvation nearer home.

Much was being made yesterday in the Commons of the £4,000 plus VAT that the taxpayer had contributed towards legal bills incurred by Mr Lamont in connection with the eviction of a "sex therapist" from his Notting Hill home. Rather less attention was being directed at

the contribution of £19,000 plus VAT towards the balance of the bill from Conservative "sources".

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Accident-prone fall guy who is exhausting Tory patience

NORMAN Lamont will probably survive the immediate row over the payment of part of his legal fees by the Treasury, but his already battered reputation has been severely tarnished. The Chancellor may have the fine print of the official guidance for ministers on his side, but that is not how it appears to many MPs, let alone members of the public.

The most damning comment yesterday came from Dr Geoffrey Riordan, the chairman of Mr Lamont's local Tory party in Kingston. He said the man in the street finds it strange. "I don't think the people who do the basic work can blithely shrug this sort of thing off," he wanted "a little more information" about the Treasury payment.

There is always the danger of self-righteousness about such matters and much synthetic anger was generated in the Commons yesterday. Former Labour ministers protested loudly over declining standards of public life and the arrogance of those in power for so long. They said such payments would have been unthinkable under the Wilson or Callaghan governments, when ministers had to pay even for their own tea.

There is something in this. Though the Tories were busy last night trying to find similar examples from the 1970s. But the whole affair does seem rather odd. The memorandum from Sir Peter Middleton, then Treasury permanent secretary, backs up Mr Lamont's explanation. Sir Peter wrote that much of the

are the wines he actually purchased when he visited a Thresher outlet. The champagne, a Bricout Carte Noire Brut, priced at £15.49, is the wine which a shop assistant now admits Mr Lamont did not choose from his shelves.

The two clarets, priced at £3.99 and £9.49, Claret, AC Bordeaux, Jean-Paul Bartier. Price £3.99. Good standard basic Bordeaux red, though not the cheapest in the shop. The name is a buyer's own-brand for Thresher. The wine is actually supplied by Peter A. Sichel, one of the most reliable Bordeaux wine shippers.

Tasting note: "A dry, grassy, herbaceous styled light claret for everyday drinking. Fair value, but not particularly exciting."

Overall comment: In shopping at Thresher Norman Lamont was making use of the best, and also the biggest, of the brewery-owned high street off-licence chains. The group, which

considerable expense" was the result of Mr Lamont's "position as Chancellor of the Exchequer and the need to take immediate action. It would be unreasonable that you should have to bear the full cost of the legal expenses which you had to meet from your own pocket."

But that stretches to the extreme the definition of "official duties" in the Treasury solicitor's rules, under which ministers can properly be indemnified out of public funds for the costs of bringing defamation proceedings. That is distinct from libelling a minister in his private capacity.

The precedents offered by the Treasury for the payment of the costs of legal actions involving Lord Young of Giffarth over the House of Fraser and Lord Lawson over Johnson Matthey obviously fall into the category of "official duties".

Mr Lamont's case is more ambiguous and Sir Peter's note implies an arbitrary judgment about the proportion of costs to be paid by taxpayers. There is room for the National Audit Office enquiry announced last night, though no reason for an immediate resignation.

More in question is the appearance of pushing the rules to the limit. Chancellors should not have to turn to the taxpayer for such money, though how the split between Tory party sources and the

Treasury was decided is unclear. Coming after other recent mishaps, the affair further undermines the authority of Mr Lamont, and makes him appear even more an accident-prone fall guy who cannot get anything right. It makes the government look shabby.

Such rows can blow over quickly. Last night, Mr Lamont was fully vindicated over the bizarre affair of the Thresher purchases. Add, with only a few exceptions, Tory MPs have rallied behind him, at least over the immediate issue of the legal fees.

What John Major has to decide during the Christmas recess is whether Mr Lamont's standing among businessmen, as much as at Westminster, is now so irreversibly damaged that he cannot carry forward the revised economic strategy.

Mr Major has backed Mr Lamont so far and clearly does not want a reshuffle. Any choice of a new chancellor — for instance, Kenneth Clarke from among the pro-Europeans or Michael Howard from the sceptics — might upset the balance of the party while the Maastricht bill is going through the Commons.

Mr Lamont has shown in the past that he can recover from personal setbacks. But while he has the sympathy of many Tory MPs, he is exhausting their patience. No government can continue for long with a weakened chancellor.

PETER RIDDELL

'Threshergate' selection of wines are put to the test

By ROBIN YOUNG

The *Times* yesterday carried out its own evaluation of the three wines drawn to national attention by the saga of the Chancellor of the Exchequer's Access-assisted trip to the off-licence.

The two clarets, priced at £3.99 and £9.49, Claret, AC Bordeaux, Jean-Paul Bartier. Price £3.99. Good standard basic Bordeaux red, though not the cheapest in the shop. The name is a buyer's own-brand for Thresher. The wine is actually supplied by Peter A. Sichel, one of the most reliable Bordeaux wine shippers.

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Overall comment: In shopping at Thresher Norman Lamont was making use of the best, and also the biggest, of the brewery-owned high street off-licence chains. The group, which

belongs to Whitbread, including Wine Rack and Bottoms Up and incorporating Peter Dominic is the United Kingdom's dominant wine merchant, with 1,660 shops.

MATTHEW PARRIS
POLITICAL SKETCH

Spooky timing as everyone's lucky number comes up

NORMAN Lamont's weekend of apparent bad luck continued into Monday at the Commons. A minister, John Taylor, was in place to answer questions put to the Lord Chancellor's Department. These proved mysteriously suited to the hour.

For the Chancellor, that was pure mischance. MPs submit questions in writing, weeks before they are to be formally "asked": but, as luck would have it, the government had some time ago aired proposals for cutting legal aid payments.

So, as Monday dawned, a handful of MPs with questions (listed for discussion after lunch) about legal aid for the poor, awoke to radio news reports about a celebrated case of legal aid for the rich.

Sitting up in separate beds at separate addresses in Southwark, Greenwich, and Brent, Simon Hughes (Lib-Dem), Nick Raynsford (Lab), and Opposition spokesman Paul Boateng blinked in the morning light, swilled their first mouthful of coffee, and separately thought "Golly! My question number 39 [43, 45] is tailor-made for a dig at Norman Lamont and his own personal legal aid scheme from HM Treasury."

And so it came to pass that poor John Taylor, a bluff provincial solicitor whose last job, as a junior whip, was writing parliamentary sketches for the Queen, found himself almost alone on the government front bench on a drizzling Monday afternoon, and in the front line for the first parliamentary attacks on the Chancellor.

First over the wire came the Liberals' Simon Hughes. A solicitor by profession, and never a man to descend to a single modest cliché when two atrocious ones will do, Mr Hughes began by declaring that there was "something rotten in the state of Britain".

He went on to contrast the fate of impecunious defendants with the good fortune of the legally aided Mr Lamont, and concluded by asking what this country was coming to.

For the government, Mr Taylor gulped and said that Mr Lamont's case was "a completely different" matter and flattered him with the remark that he had been "wholly improper" to raise it, encouraging Nick Raynsford to raise it, too.

Mr Raynsford called Mr Lamont's legal aid a "handout". Paul Boateng, a barrister, chipped in from the Labour front bench. Why did the Treasury pay for such an expensive solicitor for the Chancellor, when "other, cheaper ones" would do?

"Yes, and I'm one of them," said Taylor, beginning to enjoy his frontline role.

"As an even cheaper solicitor," was the way Barry Porter (C, Wirral S) introduced his own question. Robert Macdonald (Lib-Dem, Calthness & Sutherland), a barrister by trade, gave no hint as to his fees. He, too, asked about legal aid. Mr Taylor stonewalled them all.

Stone walls present no problem to the enormous Geoffrey Dickens (C, Littleborough & Saddleworth). He walks straight through them. Thinking to come to the rescue of Taylor, he rose and belatedly: "There are people in this country, Madam Speaker, who are absolute scoundrels..."

"Lamont! Lamont!" gurgled Opposition MPs. "As custodians of the taxpayers' money," Dickens roared on, Parliament should stop it going to the wrong sort of criminals. Poor Mr Taylor could only agree.

Tory-watching, like Kremlin-watching, is a subtle art. The collective judgment of Conservative MPs has a sort of centre of gravity to it, but you must remember that in any embarrassing affair, this is the opinion which is least likely to be voiced.

The first rule among clubbable Tory backbenchers is that when things get tricky, only a fool weighs in. To assess Mr Lamont's present standing, do not look for colleagues speaking against him; ask who is speaking for him.

The closest thing we could find, yesterday, to a man who is no fool weighing in was Sir Anthony Grant (C, Cambridgeshire SW). Which is why the precedent he cited in Lamont's apparent defence was intriguing. Sir Anthony had dug up a "quite proper" example of the use of public funds to help a minister with legal expenses.

"Lord Wilson," said Grant, "when he was prime minister, sought to sue a pop group called The Move over a song called 'Flowers in the rain'."

Hum.

Two off-licence staff suspended over lies

Continued from page 1 goods to the value of £17.47 and they picked items at random to fit that price. When they were unable to do that exactly, they simply changed the price of the cigarettes to make the tale fit.

The whole business caused more than a few headaches for Thresher. The company admitted doctoring the receipt that was released through the Treasury and the types of red wine bought by Mr Lamont were withdrawn from the shelves.

Jayne Bridges, a Thresher spokeswoman, said the receipt had been changed to protect staff at the Cornaught Street store. The name of the branch was erased to prevent the media from descending on the shop and questioning staff.

The next part of the saga involved the removal of clarets from the shelves. Officially the wines, all supplied by Peter Sichel, of Bordeaux, were taken away for testing after a customer complained of suffering from food poisoning after drinking one of the clarets. When *The Times* tried yesterday to buy the wines at three branches in Craven Road, Praed Street and Cornaught Street, they were not available. There were gaps on the shelves where the wines were normally displayed.

The assistant in Craven Road said he did not know why the wines had been removed as he was standing in for the manager who would not be back for several hours. In Praed Street that shop assistant said they had sold out. When pressed on the matter he eventually produced a bottle of Jean Paul Bartier from the back of the shop.

Ms Bridges said the wine was back on the shelves and she would contact the shops concerned to find out why it was not on sale. She could not explain why the Bricout champagne, which comes from a different supplier, was also missing from view.

Last night the editor of the *London Evening Standard*, the newspaper that first panned the claims from Mr Onanuga, was unavailable for comment. Earlier Philip Evans, assistant to the editor, had stood by the story. He said that the newspaper had "faithfully reported what we were told by the manager of the shop" and Mr Onanuga. A spokeswoman for Whitbread, Thresher's parent, said the company had wanted "once and for all" to get to the bottom of the situation.

Whitbread has contributed thousands of pounds to Conservative party funds, including £30,000 last year, but the spokeswoman denied any other reason for concern other than a desire to get to the facts.

The assistant in Craven

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(See article on page 7)

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Reluctant accusers thought their word would not be trusted against respected gynaecologist

How victim's tears brought down Harley Street sex attacker

BY LIN JENKINS

THOMAS Courtney claimed to be a pioneering gynaecologist, counselling pregnant women suffering from Aids and drug dependency. He happily exploited the image until January this year, when a girl aged 17 broke down in her boyfriend's arms and said that Courtney had sexually abused her. His well-publicised arrest brought forward three other women who had thought that their word would not be believed against a respected doctor.

The girl had been to Courtney's psycho-sexual clinic in Harley Street as a prospective employee. She had been invited there on a Saturday to learn how to use the word processor. Courtney asked her to strip, abused her with a vibrator and forced her to perform oral sex and use another sex aid on him.

He told the girl: "You are going to have the biggest orgasm you have ever had in your life." She told the Old Bailey that she was petrified and pretended that the incident was not happening. "I was educated that I can trust doctors in everything they do," she said.

Courtney's wife, Parul, an ophthalmologist, told the court that her husband told her of the incident, saying that he had got carried away while demonstrating sexual aids to the prospective employee. "I was annoyed, angry and thought he had been rather foolish," she told the court. She denied that there was anything odd in his removing his clothes to demonstrate the equipment. On other occasions he told her that he had been unfaithful.

In the three months following the complaint, Courtney, 46, of Cricklewood, north London, was charged with a further indecent assault and with two rapes. Courtney, who was described by colleagues as charming and urbane, denied all the charges against him. Yesterday, he

showed no emotion as he was sentenced to seven years' imprisonment on each of the two rape charges, and to four years on each of the indecent assault charges. The sentences will run concurrently. Judge Verney, Recorder of London, told him: "There can be no doubt your conviction at this court means the end of your career and a career which I am prepared to accept has done some good to a great many people. But in this case you took advantage of your position as a doctor to commit offences which cannot be forgiven."

Courtney's first victim, identified in court as Miss A, was raped after drinking spiked champagne in his surgery. The 26-year-old had gone there in February last year after arriving from Newcastle, expecting him to give her a lift to a dinner party being held by a mutual friend.

She told the court that she had little recollection of events, coming round in the shower to find him washing her. She spent the rest of the evening in a daze, aware that sexual intercourse had taken place without her consent.

Richard Horwell, for the prosecution, said: "The Crown's case is that the glass contained much more than

champagne. He had put in a tranquillising and hypnotic drug. The effect was swift and devastating."

Courtney tried from the witness box to destroy the woman's character, as he attempted to do with the others. He claimed that she had entered the shower with him, consented to sexual intercourse and enjoyed it.

He used similar tactics on his next victim, Miss B, 21, who met him after speaking to him when she dialled a wrong number. She was trying to contact a former employer, whom Courtney turned out to know.

They met in the surgery. She drank spiked wine and recalled feeling "zombified". She found herself on his examination couch, being raped. He offered her a room to live in if she allowed him sexual intercourse three times a day.

Miss C, 21, a biology student from Germany, went to the surgery to be interviewed for a job in October last year. Courtney said that he needed to demonstrate the gadgets he used in his work and told her to remove her clothes so that she could understand the effect of a vibrator. She explained to the court: "I thought it was a bit strange. But I am not used to questioning what a doctor says. If my doctor at home said he wanted me to undress I would just do it. I just thought it must be okay."

Mr Horwell commented: "A better example of the trust that people have in the medical profession would be very difficult to imagine. She did as she was told, but her trust was sadly misplaced."

Dr John Taylor, a forensic toxicologist, told the court that Courtney could have used tranquillisers or knockout drops, widely available to the medical profession, that could barely be detected in wine.

Doctor jailed, page 1



Verney: unforgivable breach of position



Doctor jailed: Thomas Courtney with his wife, Parul, who told the court that he had been unfaithful

Unacceptable face of private practice

BY DR THOMAS STUTTFORD

DR COURTNEY represents the unacceptable face of private medicine.

Although described as a gynaecologist in press reports, a quick glance at his past experience in the medical directory shows that he is either excessively modest about his past or that he has not had the long training

necessary to become an established consultant in the specialty.

In some branches of medicine it is not uncommon for patients to have direct access to specialists and it may be that Dr Courtney felt that as a doctor involved in "sexual dysfunction" his patients

came into this category. However, it is usually wiser for people to be referred to specialists by their GP.

The scandal could not have come at a worse time for London medicine as it battles with the advocates of the Tomlinson report. In the Harley Street district are

some of the greatest medical brains in the world, most of whom are associated with the London teaching hospitals.

But having rooms in Harley Street is more a matter of being able to pay the rent than a reflection on a doctor's qualifications. Dr Courtney was never associated with any of the London teaching hospitals, whether under threat or relieved.

Courtney wanted a knighthood

BY LIN JENKINS

WITH the self-assurance he cultivated to impress royalty, politicians and those of influence, Dr Thomas Courtney asked his arresting officer: "Is this going to affect my knighthood?"

He aspired to fame and fortune, hoping his charity The Courtney Foundation for the Welfare of Mothers and Babies (Womb) would bring him both. He almost achieved one aim when the Princess of Wales nearly agreed to become a patron of the charity. However, she was warned by the Duke of Gloucester that a leading figure in the Aids charity field believed Courtney was not all he claimed to be.

The finances of the charity, which offered help free of charge to victims of rape, incest and sexually transmitted diseases and counselling to Aids sufferers and drug addicts, are under investigation by the Charity Commission.

In 1990, the charity received more than £202,000, compared with £5,000 three years before. In some years the organisation spent 90 per cent of income on administrative costs, which included usually three employees — Courtney, his wife and their financial adviser.

Courtney's company, M'Alister Limited, based in on Aids problems, selling a range of goods that included an emergency HIV kit of useless drugs. His outrageous claims, delivered in his usual persuasive and charming manner, fooled many. In court he claimed to be a member of the Institute of Psychosexual Medicine. He was not.

Dr Noel Olson, Plymouth medical officer of health, said: "As an Aids expert, he had only the scale of knowledge one would glean from *Reader's Digest*." He warned the advisers to the Princess of Wales about Courtney and made a formal complaint to the General Medical Council in 1990.

Fishermen lost as gales hit Cornwall

BY IAN MURRAY

THREE fishermen were lost during driving wind and rain in the second tragedy to hit a Cornish fishing village in a week. Padstow, in north Cornwall, was yesterday mourning the loss of the crew of one of its small fleet of lobster boats, which set off on Sunday afternoon to collect lobster pots moored five miles offshore. Last Monday, two other local men were lost when their boat sank while fishing at the Doom Bar in the estuary of the River Camel.

Last night Tina Evans, the mayor, announced that instead of turning on the Christmas lights as planned today, she would launch an appeal to raise money for the men's families. The Rev Barry Kinsman, vicar of Saint Issey parish, said: "They were very experienced sailors but I suspect that with the recession and with Christmas coming up they pushed themselves more than they would normally."

The boats were lost in heavy

seas whipped up by force-eight gale winds over the past week. The weather was caused by a slow-moving front which has brought the wettest November to the South West for more than 30 years and yesterday brought flooding to large areas of south and west Wales.

The National Rivers Authority issued a red alert on eight stretches of river in Wales, as well as on a short stretch of the Thames, while the Meteorological Office said that more rain was on the way on Thursday and over the weekend.

In the floods yesterday, the worst in Wales since 1979, railway lines and roads near Llanelli, Dyfed, disappeared under water, the homes of 150 pensioners were evacuated at Tredegar, Gwent, and eight Scouts and their leader were trapped overnight on Brynamman Mountain in south Powys.

Forecast, page 20
Photograph, page 40

Footballer denies assault in match

BY A STAFF REPORTER

GARY Blissett, the footballer, "cynically and deliberately" thrust his elbow into an opponent's face during a mid-air duel and caused horrific facial injuries, a court was told yesterday.

But Mr Blissett, who was sent off after the incident, said it was a "complete accident". Salisbury Crown Court was told. The jury watched video-recorded replays of the clash between Mr Blissett, 28, the Brentford striker, and John Uzzell, 33, the former Torquay United defender, during a third division game on December 14 last year.

It is the first time court proceedings have started as a result of an incident during a Football League match. Mr Blissett, of Rickmansworth, Hertfordshire, denies unlawfully and maliciously causing grievous bodily harm.

Andrew Chubb, prosecuting, said that Mr Uzzell's left cheek bone and eye socket floor were broken. The socket had to be reconstructed and a

metal plate was inserted into his face to bring the bone parts together. There was no dispute that the injury amounted to grievous bodily harm. Mr Blissett had "cynically and deliberately" put his elbow into contact with Mr Uzzell, Mr Chubb said.

In a statement read to the court, Mr Blissett said the challenge to Mr Uzzell was to win the ball. "Any injury he sustained was purely accidental and I had no intention whatever of injuring him."

The court was told that Mr Uzzell had been unable to play this season because of the injury. Arthur Smith, the match referee, said that Mr Blissett "deliberately elbowed his opponent in the face". He had sent him off for violent conduct.

The jury was shown two video recordings made by Television South West and Torquay United. A third video showed the club's version in slow motion. The trial was adjourned until today.

Shady Nelson to emerge in a new light

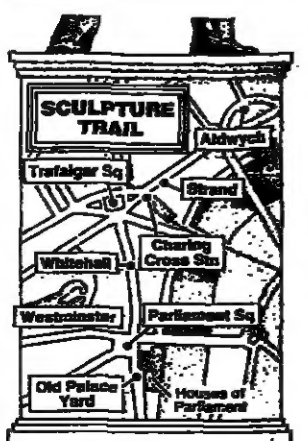
BY ALISON ROBERTS
ARTS REPORTER

LONDON could be as attractive as Paris in the evening if plans to illuminate its statuary and sculptures are implemented, according to the Royal Society of British Sculptors. At a conference hosted by the society yesterday, Westminster City Council welcomed a scheme to illuminate Trafalgar Square in a project aimed at creating "rivers and pools of light" around the city.

Nelson's Column, the 16ft statue itself and the surrounding buildings and sculptures, will be floodlit using the latest lighting technology. Michael Lowndes, principal conservation and design officer at the council, said that the plan was intended to bring "a sense of warmth and importance to the space which is really quite unattractive after dark".

The monument buildings surrounding the square are most of the time," Mr Lowndes said. "At the moment South Africa

Strand 1 Lord Dowding, Bomber Harris; Faith Winter Aldwych 2 Gladstone; Harro Thorpe; Strand 3 Australia House; Harold Parker 4 Phobos of the Sun; Mackerell 5 Friendship of the English; Mollie 6 Jefferson 7 George R; John Bacon 7 Zimbalone House Square; Jacob Emile; Charles Cross 8 Glyn Elmer Cross; Thomas Earl Trafalgar Square 9 James 10 Glyn Elmer 10 Washington; Andrew Youdan 11 Four Seasons; Wheeler, Macmillan 12 George R; Sir Francis Chantrey 13 Nelson's Column 14 Bailey 14 Lions; Landseer 15 Charles C Robert Lonsdale Whitehall 16 Dukes of Devonshire; Hamilton 17 East Holo; Handman to Vincent Street; Nor Roberts Jones 20 Telford; William McGowan 21 Montgomery; Oscar Nemon Parliament Square 22 Lincoln; Sir George 23 Sir Robert Peel; Matthew Noble 24 Dieroff; Marko Paggi 25 Churchill; Nor Roberts Jones; Old Palace Yard 26 Cromwell; Hanso Thornycroft; Westminster 27 Richard 28 Horrocks 29 George V; Sir William Field Dick 30 Two Place Road; Edgar; Sir Henry Moore 30 Burghley of Coling; Augustin Rodin



Royal Society of British Sculptors for advice and is consulting lighting experts. The square is owned by the government and the council expects it to provide some of the funds needed to put the scheme into practice. The project managers have approached electricity com-

panies for further sponsorship money.

The sculptors' society has more plans to brighten the capital and has drawn up a "light trail" — a tour through London that takes observers past some of the nation's most prized pieces of public art which exist unnoticed after dark.

A walker would follow a path of light from the Strand, via Aldwych, Trafalgar Square, Whitehall and Westminster passing 30 sculptures which would all be fully lit taking into account the material used and the nature of the subject.

John Mills, exhibitions director at the society and a well-known sculptor himself, said that the capital was full of hidden jewels waiting to be revealed by light. "To promenade around London at night is very difficult and can be dangerous. A series of trails taking in the wealth of sculpture would be educational and enhance the city beautifully."

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High council tax bills are forecast for Labour areas

By Rachel Kelly

THE highest council tax bills are all likely to be in Labour-controlled authorities, with average bills of more than £650 per household, according to the first nationwide estimate of the new charge.

Tameside in Greater Manchester, Hartlepool in Cleveland, Newcastle upon Tyne in Tyne and Wear, Rotherham in South Yorkshire and Greenwich in London are all identified in a survey by the Association of London Authorities as likely to be among the most expensive councils in the country. Most are Labour-controlled.

A spokesman for the association said the high figures were explained by historic spending levels and the fact that the councils were in areas of high deprivation.

The survey shows that councils with the lowest tax are likely to include Wandsworth and Westminster in London, Chichester in West Sussex, Basingstoke in Hampshire, the Scilly Isles and John Major's constituency of Huntingdon in Cambridgeshire. Most are Tory-controlled.

The figures have been calculated using assumptions on the budgets councils will set. Councils will not finally set their budgets until early next year. Other local government commentators have avoided estimating tax bills because of the assumptions which would have to be made.

The figures assume levels of past and present council spending, levels of capping, 98 per cent levels of collection and transitional arrangements from poll tax to council tax. In Wandsworth, London, for example, there is a zero poll tax and transitional relief cushions the impact of the new tax. The same is true for Westminster.

Taken nationally, the figures produce an average bill of £522 for a Band D property, slightly higher than the government figure of about £490. The release of the figures coincides with lists of draft valuations of homes into the

eight bandings made available to the public today for inspection in town halls and local valuation offices.

These valuations are based on property prices on April 1, 1991. All homes will fall into one of eight price bands and council tax bills will be calculated accordingly, with owners of more expensive homes paying more.

More than a quarter of the homes in England fall into the lowest band — properties worth under £40,000. More than two thirds are in the bottom three bands, worth under £68,000. In Wales, a fifth of homes are in the bottom band and more than two thirds are in the lowest three bands — worth under £51,000.

Householders can approach valuation officers if they think their property is in the wrong band but formal appeals cannot be made until after April 1, when final lists are produced and the council tax is officially introduced.

Local councils and the Inland Revenue are preparing for up to 1.5 million appeals from homeowners. A likely complaint will be about the way property values have fallen since April 1991, with some areas experiencing greater falls than others, but this will not be a basis for a change of band.

A spokesman for the association said that some analysts had calculated that house prices had fallen between 10 and 15 per cent in London between 1991, when the valuation was done, and April 1993 when final bills will be charged. "Homeowners looking at these bands will feel aggravated, not that they will be able to do anything about it. They will have to pay up," he said.

A spokesman from the environment department has defended the government's choice of April 1991 by saying that houses in the same district would have fallen by the same rate. The exercise had to start somewhere, he said.



Homeward bound: Allan Nicklin hugs his wife, Margaret, and his daughter, Sarah, at Heathrow yesterday

Saudis release Briton

ALLAN Nicklin, a businessman, returned to Britain yesterday to be reunited with his family after being held for two years in Saudi Arabia.

Mr Nicklin, 48, was working for an insurance company when he was arrested by the Saudi authorities after an investigation into insurance claims. He spent six months in a Jeddah prison but was never charged. Patrick Cormack, Tory MP for Staffordshire South, campaigned for his release.

Mr Nicklin was allowed home after an appeal to King Fahd, the Saudi head of state, by Douglas Sarah, the foreign secretary. Speaking yesterday at his home in Perton, Staffordshire, Mr Nicklin said he was delighted to be reunited with his wife Margaret, 46, daughter Sarah, 23, and son Matthew, 17. The Nicklins celebrate their silver wedding anniversary today.

First homeless family benefits from £750m buy-up scheme

By Rachel Kelly, PROPERTY CORRESPONDENT

THE first home has been bought and rented to a homeless family in the government's £750 million scheme for housing associations to buy up 20,000 empty and repossessed properties and help revive the housing market.

The three-bedroom 1970s semi-detached house in Manion Heights, Bedford, had been empty for six months after its owner moved to a new property. It was bought by Bedfordshire Pilgrims Housing Association from its private owner with £47,000 of government money from the Housing Corporation, the government body which funds housing associations.

The new tenants are Stanley and Josephine Fice, who have three sons, John, 21, David, 19 and Steven, 14. The family has been living in a caravan since the mortgage lender

repossessed their newsgroup's business and home at Sharnbrook near Bedford in August. They were eight months behind with mortgage payments.

The Fice family will be presented with the keys to their new home by Sir Trevor Skeet, the MP for Bedfordshire North, when they move in today.

Mrs Fice said she was overjoyed: "I will have a little garden again and that will be absolutely gorgeous. The worry of the past few months is over and now my husband can concentrate on finding a job."

Mr Fice's search for a job would have been helped because he would have a phone again and this would make arranging interviews much easier.

Bedfordshire Pilgrims Housing Association has about four months in which to spend the £3.7 million it has

been allocated by the Housing Corporation and estimates that it will be able to buy about 100 empty homes on the open market.

The association will be looking for houses in relatively good condition. The house rented to the Fice family needed only about £420 spent on it.

Critics of the government's scheme have said that it will do little to help the housing market as housing associations are unlikely to buy repossessed property because much of it is in poor condition.

Sales of repossessed houses are holding down prices because sales are forced, but sales by builders or individuals are not doing this.

But there is no question that the scheme will help housing associations and the homeless, as the example of the Fice family shows.

Prisoner's death wish tested in court

A High Court case has been brought by the home secretary to determine whether a convicted drug smuggler on hunger strike in prison may lawfully be allowed to die.

Kenneth Clarke is seeking a ruling that prison authorities and medical staff may comply with the wish of Jesus Naira, 37, a Colombian, who has stated that he would prefer to die than serve 11 years for smuggling £250,000 of cocaine.

Naira, who protests his innocence, has refused food since mid-May at Wandsworth prison and at Belmarsh, southeast London, where he was transferred last month.

Alper Riza, for Naira, said that the Home Office application was not being opposed by his client, David Venables, the Official Solicitor, is opposing the application so that the courts may test the legal position. The hearing was adjourned until Thursday.

Tree breaks 90ft fall

A man aged 66 on his way home from the pub escaped serious injury after falling 90ft from a viaduct and landing in a tree. The leafy branches cushioned his fall and he ended up spreadeagled in the treetop. His cries for help were heard by a passer-by who called the fire brigade to bring him down. He was taken to hospital with cuts and bruises. Police said the man, who has not been named, was walking along a narrow wall on the viaduct above the Derwent Walk nature trail near Consett, co. Durham.

LuPone in new musical

Sir Andrew Lloyd Webber yesterday announced that Patti LuPone, Tony Award winner for *Evita* and one of the original stars of *Les Misérables* in London, will play the lead role in his new musical *Sunset Boulevard*, which will open in London on June 29 next year at the Adelphi Theatre and move to the US soon after. Trevor Nunn, his collaborator on *Cats* and *Aspects of Love*, will direct the production, which the musical impresario has been working on for several years.

Lynk loses UDM post

Roy Lynk, right, who helped Margaret Thatcher defeat Arthur Scargill and the NUM during the miners' strike, was ousted yesterday as Union of Democratic Mineworkers president. Mr Lynk, 60, blamed the recent announcements by British Coal and the government on the future of the industry for damaging his credibility. His successor is Neil Grestex, 54, Nottinghamshire branch president.



Homelessness 'an evil'

The Archbishop of Canterbury called last night for a "moral crusade to rid society of the evil of homelessness". Dr George Carey said: "Our task is to encourage central and local government to ensure that decent, affordable housing is available for all." He told church leaders from 18 denominations at a service at Westminster Abbey for the Churches' National Housing Coalition to make people aware of the acute needs of "those who are homeless or where accommodation cannot be described as proper shelter".

NOTICE TO HALIFAX CUSTOMERS

NEW INTEREST RATES		UK RATES		NON-RESIDENT	
		gross p.a.	net p.a.	gross p.a.	net p.a.
HALIFAX TESSA Standard rate					
including two special bonuses		7.50	—	7.50	—
		8.27	—	8.27	—
PREMIUM XTRA (including Bonus) †					
£100,000+		8.80	6.60	8.65	—
£50,000+		8.45	6.49	8.50	—
£25,000+		8.35	6.26	8.38	—
£10,000+		8.00	6.00	7.85	—
Monthly Income Option (including Bonus)					
£100,000+		8.40	6.30	8.20	—
£50,000+		8.25	6.19	8.05	—
£25,000+		8.00	6.00	7.80	—
£10,000+		7.45	5.74	7.45	—
90 DAY XTRA					
£50,000+		6.85	6.97	5.14	5.95
£25,000+		6.55	6.66	4.91	5.75
£10,000+		6.15	6.24	4.61	5.55
£5,000+		5.35	5.42	4.01	5.15
£500+		5.15	5.22	3.86	5.05
Monthly Income Option					
£50,000+		6.50	6.70	4.88	5.65
£25,000+		6.20	6.38	4.65	5.40
£10,000+		5.85	6.01	4.39	5.22
£5,000+		5.10	5.22	3.83	4.85
£500+		4.90	5.01	3.68	4.80
INSTANT XTRA PLUS					
£25,000+		6.15	—	—	5.90
£10,000+		5.60	—	—	5.25
£5,000+		5.25	—	—	4.95
£2,500+		5.00	—	—	4.75
£500+		4.75	—	—	4.50
YOUNG SAVERS (Minimum rates for under 21s on most accounts)					
		4.50	4.55	3.38	4.50
MAXIM £7,000+					
£50+		2.00	2.02	1.50	1.51
(£500 and £5,000 tiers removed)		1.00	1.00	0.75	0.75
CARD CASH £50+					
(£500 and £2,000 tiers removed)		1.00	1.00	0.75	0.75
PAID-UP SHARE £50+					
(£250 tier removed)		1.00	1.00	0.75	0.75
DEPOSIT £50+					
(£250 tier removed)		1.00	1.00	0.75	0.75
MATURED GUARANTEED RESERVE £10,000+					
£2,000+		5.75	—	4.31	—
		5.05	—	3.79	—
CLOSED ISSUES					
Instant Xtra		4.45	—	3.49	—
£10,000+		4.15	—	3.11	—
£5,000+		3.90	—	2.93	—
£2,000+		3.40	—	2.55	—
£500+		1.25	1.25	0.94	0.94
Monthly Savings		2.15	2.16	1.61	1.62
7 Day Xtra		2.50	2.52	1.88	1.89
28 Day Xtra		3.00	3.02	2.25	2.26
Special Investment Account (1st Issue)		2.50	2.52	1.88	1.89
Special Investment Account (2nd Issue)		3.00	3.02	2.25	2.26
5 Year Term Share		1.25	1.25	0.94	0.94
Subscription Share		1.25	1.25	0.94	0.94

Halifax Building Society announces new rates for investment and banking customers from 1st December 1992. This notice also includes a change to the payment of interest, details of which follow.

PAYMENT OF INTEREST. From January 1993, the procedure for paying interest on credit balances on all investment and banking accounts (except as detailed below) is being changed. Interest will be credited on 1st February and 1st August instead of 31st January and 31st July each year. Interest will be credited to Asset Reserve Cheque Accounts on the first day of February, May, August and November (instead of the last day of January, April, July and October) and Instant Xtra accounts on 1st February (instead of 31st January) each year.

Monthly income options will have interest credited on the first day of each month instead of the last day of the previous month, commencing on 1st February 1993.

These changes do not affect Guaranteed Reserve, Maturity Guaranteed Reserve, Instant Xtra Plus, Premium Xtra (except for the monthly income option), Maxima or Halifax TESSA accounts.

HALIFAX TESSA. † This rate assumes: 1. The maximum permitted amount is invested as a savings deposit on account opening, and on the anniversary of opening every year subject to the overall maximum of \$9,000 for five years. 2. The current rate of interest remains constant throughout the five year term. 3. No withdrawals of interest are made. 4. Interest is capitalised annually on each anniversary of opening.

PREMIUM XTRA. † Rates include a 0.25% gross p.a. (0.19% net p.a.) anniversary bonus added if no withdrawals are made during the preceding 12 month period. Rates are unchanged and will be held until 1st January 1993.

CLOSED ISSUES. Customers with accounts which are no longer available to new investors may close these accounts to transfer funds without penalty into any Halifax account.

MORTGAGES. With effect from 16th November 1992 for applicants and from 1st January 1993 for existing borrowers, the Society's Mortgage Base Rate is reduced to 6.55% p.a.

BUDGET PLAN. From 7th December 1992, Budget Plan borrowers may request from their branch a revised monthly payment at the new mortgage interest rate which will apply to their account.

Those borrowers who do reduce their monthly payments and choose to remain in Budget Plan must arrange future payments by direct debit or Halifax Payment Plan.

POINTS TO NOTE. Interest will be paid net of basic rate income tax (currently 25%) or gross on the receipt of the required declaration form. Net rates are illustrative only and have been rounded. All interest rates quoted are variable. Accounts with balances below £50 will not receive interest except where customers are aged under 21 and recorded as such — this exemption for the under 21s does not apply to Maxima.

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مكتبة لادن

Schools to be fined for expelling too many pupils

Rising expulsions have prompted ministers to consider financial incentives for schools to persevere with disruptive pupils

By JOHN O'LEARY, EDUCATION CORRESPONDENT

STATE schools may face financial penalties if they exclude too many pupils, ministers said yesterday in a consultation document intended to prevent the creation of an underclass of teenagers receiving little or no formal education.

Eric Forth, the schools minister, said that some schools were "all too quick" to exclude troublesome pupils. He acknowledged that examination league tables could give headteachers an incentive to remove difficult pupils, but said that this would be a dereliction of professional duty. "Excluding a pupil from school should always be the last resort, not the first," Mr Forth said. "The government is concerned that too many pupils are being excluded and the alternative educational provision made for many of them is often inadequate."

Only one year's figures have been compiled nationally, but successive studies have indicated a rise in exclusions. Ministers are considering measures to reverse the trend, from added emphasis during teacher training on pupil behaviour, to the inclusion of expulsions in school league tables.

Among the options highlighted by Mr Forth was the deduction of money from school budgets where exclusions were considered unreasonable. Schools taking in excluded pupils would be rewarded with extra funding.

Government research found that 3,000 pupils were permanently excluded from school in the academic year 1990-1. Boys were four times more

likely than girls to be sent home. The peak age for expulsions was 15.

Afro-Caribbean children were proportionately most likely to be expelled, accounting for more than 8 per cent of removals despite making up only 2 per cent of pupils. Primary schools were responsible for 13 per cent of expulsions, while 12.5 per cent involved pupils with special educational needs.

The most common offences were disobedience, verbal abuse or insolence. At least 8 per cent were expelled for attacks on teachers or staff. Bullying and physical aggression against other pupils were other common reasons.

Researchers said that the variations in exclusion rates were too great to be explained by catchment areas. Children permanently removed often became virtual outcasts, facing long periods at home because of difficulties finding alternative schools. Home tuition might last only an hour a day.

Research published by the National Union of Teachers last summer showed a 20 per cent increase in exclusions over a single year. The survey suggested that schools were influenced by the introduction of league tables and the lack of alternative support to deal with disruptive pupils.

The National Association of Schoolmasters/Union of Women Teachers said that it was appalled by the plan to "tax schools for the sins of their pupils". Nigel de Gruchy, general secretary, said: "Teachers cannot teach and, at the same time, act as prison wardens."

Contents of the tycoon's rented mansion expected to raise £300,000



Seat of power: Sotheby's porter Andy Turnbull clears Robert Maxwell's desk, which features a name plate expected to fetch up to £30

Maxwell's booty up for sale

By JOE JOSEPH

"BOHEMIAN?" asked the inquisitive blonde from CNN as she tipped up an engraved, thistle-shaped wine glass from Robert Maxwell's dining table.

"Well, it's obviously Harrods," sniggered the man from Sotheby's, who was organising the sale of contents of Headington Hill Hall, the late tycoon's estate in Oxford rented from the city council for £10,000 a year.

"But just think what it must have cost to buy all these glasses," he said, remembering his Bond Street manners. The sale of more than 600 lots in London next month should fetch more than £300,000 for Maxwell's receivers. Yesterday, the doors of the mansion were opened to public eyes. Maxwell must have grown so used to living in impersonal hotel bedrooms

that he turned the house into a hotel decorator's style manual: alongside the repro furniture there are those gaudy ornaments and seashell-covered statues that you see only in Hilton lobbies.

The two items that might really have lured curio hunters are not for sale. Maxwell's clothes have already been sent to charities, although his bedside Corby trouser press will be on the Sotheby's block.

Still in place but missing from the catalogue will be Maxwell's bedside telephone, with 35 pre-dialled call buttons, all clearly marked to connect a man who never interfered in his newspapers to everyone from his editors, Roy Greenslade, Eve Pollard and Richard Stott, to his sons Kevin and Ian, to the Mirror newsdesk, even to his London kitchens.

Yet bouncing on his 6ft-wide bed, staring at his giant

bedroom television, scribbling this article at the personal bedroom desk where Maxwell dreamed up some of his fantastic rackets, staring out of the window at his poolside barbecue summer house, the mansion and its contents seemed as soulless and unhappy as his life. A house not a home, a place to display his look-who-I'm-with snaps of "Reagan and Bob", or "Bush and Bob", a place from which to cut deals and bark telephone orders.

On his drawing room desk sits a large black name plaque with "Robert Maxwell - Chairman" picked out in mother-of-pearl, just in case Betty or the kids forgot who he was. Now you can buy it.

The priciest lot is a painting by the Israeli artist Reuven Rubin, pitched at £15,000-£25,000. It is a view of Jerusalem from the Mount of Olives. In death, as in life.

Tour firms confident of a holiday boom

By HARVEY ELLIOTT, TRAVEL CORRESPONDENT

TOUR operators are so convinced that the end of the recession is in sight that they are increasing the number of package holidays on offer over the next 12 months by 24 per cent.

The number of Britons travelling abroad has fallen over the past two years. However, the Civil Aviation Authority, which licenses air travel holidays, has licensed 14.2 million for next year.

The figures mask a change in the rules that now cover package holidays booked on scheduled airlines as well as charter airlines. Nonetheless, this would account for only about 12-15 per cent of the increase.

Small tour operators have

increased the number of holidays on offer by far more than their bigger rivals, leading to fears that they are being too optimistic and that another price war is inevitable.

A growing unease among tourists who visit Third World countries but remain isolated from the poverty and hardship around them has led to the launch of a package tour that includes visits to charity aid stations and a compulsory £100 donation to Actionaid.

The figures mask a change in the rules that now cover package holidays booked on scheduled airlines as well as charter airlines. Nonetheless, this would account for only about 12-15 per cent of the increase.

Cervical cancer deaths cut by 15%

By JEREMY LAURANCE
HEALTH SERVICES
CORRESPONDENT

DEATHS from cervical cancer, which rose dramatically among young women during the sixties and seventies, have fallen sharply in the past six years, according to the latest figures.

Deaths from the disease, which still claims almost 2,000 lives a year but is one of the most readily preventable cancers, fell by 15 per cent between 1985 and last year, accelerating the slow decline of the previous 30 years. Over the same period the proportion of women aged 20 to 64 having cervical smear tests doubled from 40 to 80 per cent.

Dr Jack Cuzick, head of the epidemiology department of the Imperial Cancer Research Fund, which published the figures, said that at least half the women who died could have been saved if they had had a smear test. "We hope this is the beginning of a downward trend in deaths from this disease as more women take up offers of cervical screening."

The increase in the proportion of women screened followed the setting up of the National Cervical Screening Programme in 1988 and changes in general practitioners' contracts in 1990 under which they were paid incentive bonuses if they met screening targets.

The incidence of the disease trebled in the under-35s between 1960 and 1980 and the death rate rose 72 per cent, but the increases appear to have stabilised. The disease is thought to be transmitted by a virus during sexual intercourse. The earlier the start of sex and the more partners, the greater the risk.

There have been three sharp increases in deaths from cervical cancer this century, each corresponding to a generation maturing at a time of freer sexual relationships: during the two world wars and the permissive sixties. Smoking is also thought to play a part.

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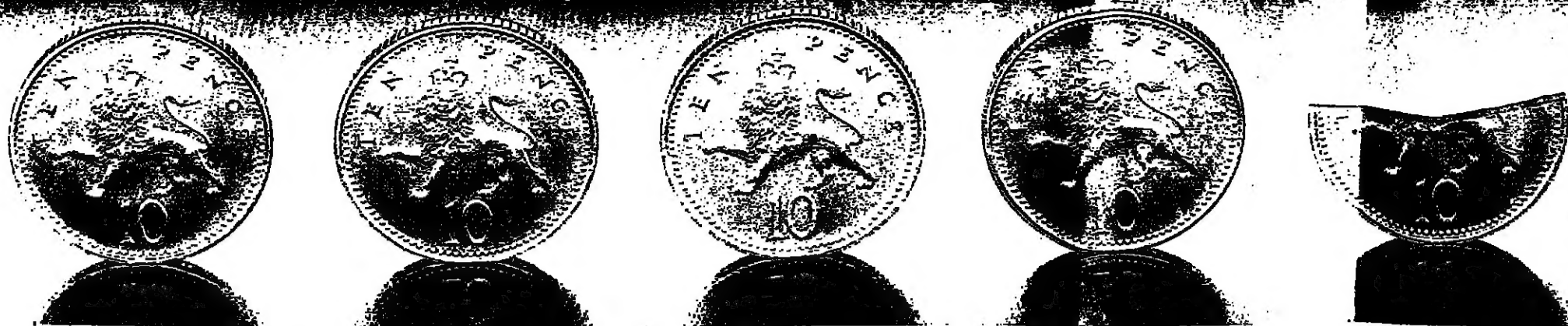
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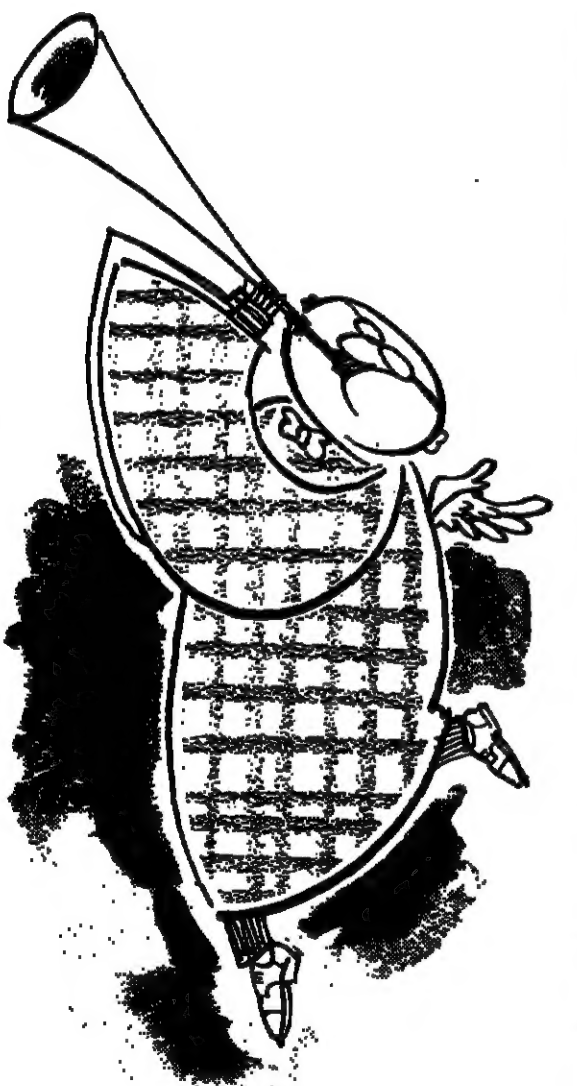
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This Thursday evening, in the pursuit of Christmas cheer, Simpson Piccadilly will be dishing up mulled wine, mince pies and yes indeed, carols from our very own barber's shop quartet - The Simpsonians.

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two shakes from
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EC summit exhibition showcases British artists

By ALISON ROBERTS
ARTS REPORTER

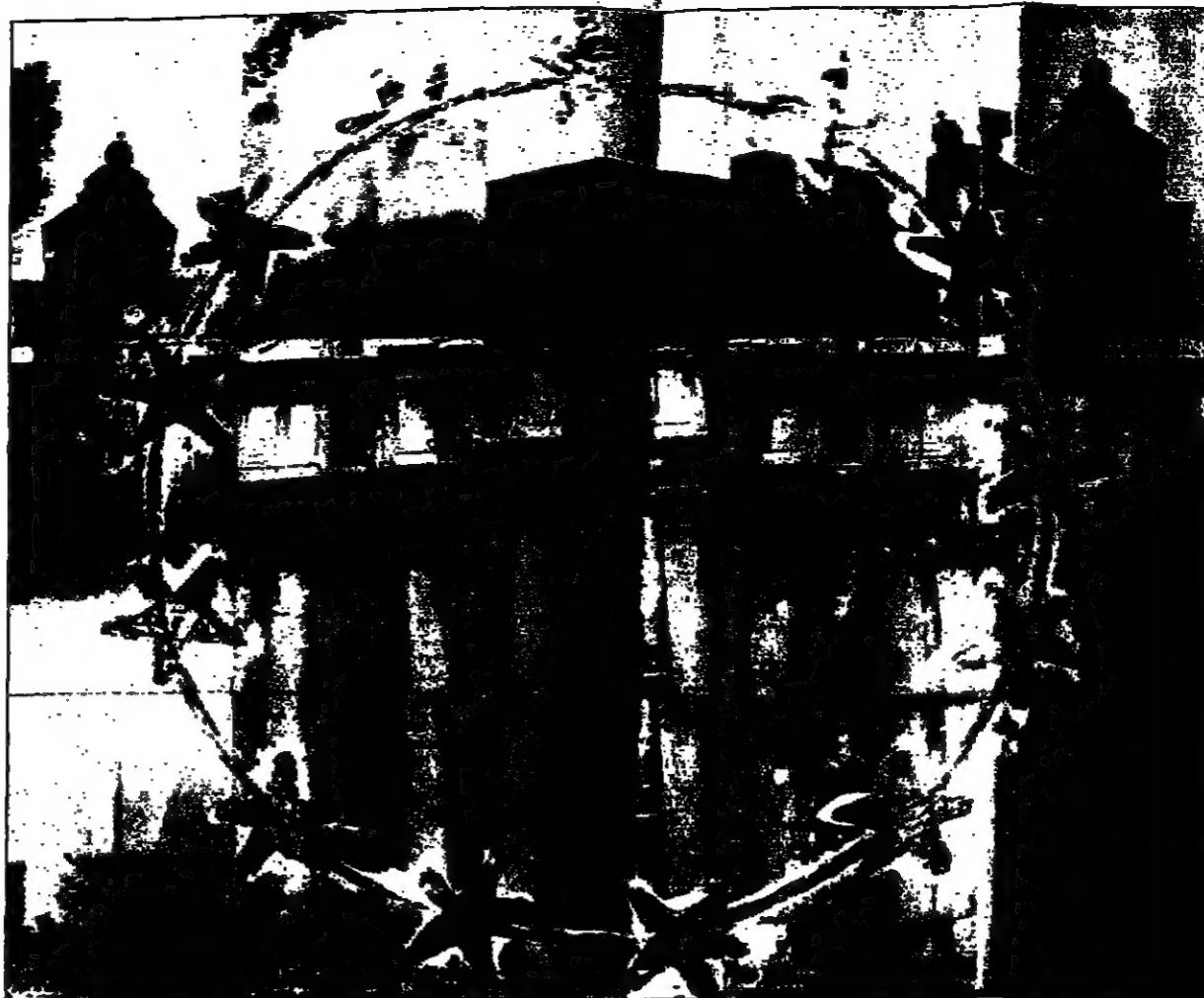
IF John Major needs his spirit bolstered at next week's Edinburgh summit, he could do worse than pay a visit to the city's art centre, where part of the European Parliament art collection is on show together with this year's 15 new British acquisitions.

European Parliament art collection? Few MEPs know it exists and fewer members of the European public. Begun in 1979, the collection contains contemporary work by artists from each of the member states. Each year parliamentary funds are made available for each country in turn to buy home-grown work. This year it was Britain's turn to scour the galleries and studios for representative art.

The exhibition in Edinburgh, part of the European art festival, which is intended to celebrate Britain's EC presidency, is the public's first opportunity to view the paintings and photographs that usually adorn corridors and offices in Brussels, Strasbourg and Luxembourg.

Nick Serota, director of the Tate, and Andrew Wheatley, co-ordinator of the Twelve Stars exhibition, were given £70,000 to buy British work of their choice. They have concentrated on work by younger artists - of the 15 only three are aged over 40 - and have chosen a rich mix of abstract painting, sculpture and photography from England, Scotland, Wales and Northern Ireland.

Mr Serota said that the



State of the union: Rory Donaldson's State 13 portrays a Europe seared by the emblem of unity

exhibition highlighted the growing importance of European art. "Increasingly, artists are more interested in being seen in Europe rather than America. New York still

provides a good market for British artists, but much of the best work being made by a middle and younger generation of artists is being made in Europe." Internal EC poli-

tics during the past six months have affected the art festival, but the exhibition should cheer the British contingent. "The festival is another sign that politicians

are paying more attention to our achievement in the arts and they are paying that attention increasingly because while we are no longer world, or even Euro-

pean leaders in many areas, I believe we are artistic leaders," he said.

The exhibition was first mooted by Patricia Rawlings, MEP, who was keen to publicise an institutional art collection that belongs to a public ignorant of its existence. "It was actually unknown to most of the MEPs, but art is an integral part of the whole community which we should all share and appreciate," she said.

If Mr Major decides to invite his 11 counterparts to view the exhibition, they should take a look at one of the new acquisitions by Scottish artist Rory Donaldson. In it, a monumental European building, which is fragmented and tinged with fiery red, has been branded with an ominous 13-starred EC logo - perhaps calling into question an expanding European Community that appears to be simultaneously falling apart at the seams.

Mr Wheatley hopes that Britain's seriousness in making its selection will set a precedent. By asking the director of the Tate to pick work and by organising the exhibition, Britain has shown a commitment to innovative and young art.

The piece bought from the oldest and most established of the artists chosen, the sculptor Kenneth Armitage, is an example of British art at its most international and communicative.

Armitage produces figures in brass, resin and aluminium that explore universal forms said to hold the possibility of "speaking to anyone, anywhere".

Secret Treasury paper lists exemptions

Public-sector workers may breach pay limits

By PHILIP BASSETT
INDUSTRIAL EDITOR

THE government's 1.5 per cent pay limit will not apply evenly to all public-sector employees, according to a confidential document prepared by the Treasury and seen by *The Times*.

The paper, which sets out details of the pay restraint policy, is the first indication that there may be flexibilities in the pay policy that could be used to secure individual pay rises of more than the 1.5 per cent ceiling announced earlier this month by Norman Lamont, the Chancellor.

While the Treasury document, marked "Management in confidence", restates that "all public-sector employees will be treated alike", it says clearly that the policy will not apply to some elements of pay in the public sector, such as performance pay. It also suggests that the low-paid may be subject to special provision.

Guidelines on civil servants' pay suggest the government's policy may be more flexible than it seemed at first

Union negotiators are likely to seize on exemptions mentioned in the paper to get round the pay policy. One public-sector union pay negotiator said yesterday: "There is certainly scope within the system for people to do better than 1.5 per cent."

The exemptions to the ceiling include:
□ Performance pay, which the government is seeking to spread across the public sector although the Treasury was unable to say how many public sector employees were covered by it.
□ Productivity schemes. Blue-collar industrial civil servants, for example, all work under these schemes, which the document says would be unaffected.

□ Bonus pay. Many chief executives of government agencies such as Customs and Excise and the Benefits Agency, which were formerly full Whitehall departments or substantial parts of them, receive private-sector-style bonus payments and the document says these should continue.

□ Local labour market allowances. Special payments introduced to deal with specific recruitment problems several years ago, for example for typists in London, which are still paid as part of salary despite higher unemployment "will not be constrained within [the] overall limit", the document says.

The low-paid. While any such arrangements should not be made centrally, the paper suggests possible flexibility by saying that "those responsible for negotiating within the public sector will have discretion to award different increases to different groups within [the] overall limit".

Under previous pay policies, management and union negotiators have often tried to pay extra by such means as productivity bargaining in the 1960s and self-financing productivity deals in the 1970s. They may try to exploit flexibilities suggested by the Treasury to beat the 1.5 per cent limit.

In addition to the exceptions to the pay policy, the Treasury paper raises questions about the policy not mentioned by the government when the limit was announced. It dismisses the idea that the policy discriminates against the public sector, denies that the limit will not stick and challenges claims that it is unfair.

It also raises the question of the policy continuing for longer than the year specified by the Chancellor, noting that while the government has said it will last for just 12 months, Britain may be "moving into a world where lower pay settlements are the norm."

Fewer under-20s spurn drug use

By KATE ALDERSON

YOUNG people have an increasingly relaxed attitude to drugs, with almost 30 per cent believing that cannabis should be legalised and only two thirds saying they would never try hard or soft drugs. But they are becoming increasingly worried about Aids and show rising concern about the environment.

The findings are revealed in *Youth Facts 3*, a survey of 532 people aged 11-20 conducted by Enmap Metro and Marketing Direction Ltd.

Four years ago more than 80 per cent said they would never experiment with any drugs and only 14 per cent believed cannabis should be legalised. This year only two thirds said they would never experiment and the percentage supporting legalisation allowing the use of cannabis had more than doubled.

The young people's greatest concern is their careers. Their worries about Aids are reflected in the figure of only 25 per cent who would be embarrassed to go into a shop to buy condoms today, compared with a third in 1988.

The most significant change over the past four years is in

attitudes towards racism. In 1988 four in ten thought blacks and Asians would get a bad deal on jobs and housing and this has doubled to eight out of ten today.

More than half of young people want to accept more responsibility in their lives, eat and drink sensibly and disagree that there is too much concern for the environment. The same proportion would not buy toiletries or cosmetics which have been tested on animals, while two thirds try to buy and use environmentally friendly products.

Although the number of young people has dropped from 8.7 million in 1988 to 7.3 million today, they have an increased annual disposable income of £9.4 billion, 19 per cent more than in 1988 after inflation is taken into account. This rise could be because young people live with their parents longer as they cannot afford to move out.

Their top spending priorities are going out, clothes, records and tapes. The top three magazines read by boys are about computers and the most favoured newspaper is *News of the World*.

Lodger murdered landlady

A lodger was jailed for life yesterday for strangling and robbing his landlady after making love to her. Oday Ozelebi, 28, a clerk, was convicted at the Old Bailey of murder. His claim that he accidentally killed his sister Feriha Ape, 48, was rejected by the jury.

His case led to protests last April when Judge Denison ruled against keeping him in prison on remand. Despite police objections Ozelebi was granted bail with stringent conditions.

Mr David Calvert-Smith, prosecuting, said Ozelebi attacked Miss Ape at her home in Wood Green, north London, after she had invited him in on September 8, 1990. They had sex while watching the film *Planet of the Apes* on television and Ozelebi strangled her with his hands and the telephone cord. He fled with her jewellery and went abroad but was traced and extradited.

Damages won

Stephen Stewart, 8, whose mother, Constance, died to death after an emergency caesarean operation at Dulwich Hospital, southeast London, within hours of him being born in September 1984, was awarded £56,250 damages at the High Court yesterday. Camberwell Health Authority denied negligence but agreed the settlement for Stephen, who lives with his grandparents, Iris and Eworth Stewart, in Mitcham, south London.

Guard accused

John Edward Starkey, a security guard at Stansfeld Airport, was yesterday accused of two charges under the 1883 Explosives Act of causing an explosion likely to endanger life or property after incendiary device attacks on a WH Smith store and a library in Chelmsford, Essex, Starkey, 51, of Writtle, Chelmsford, was remanded in custody until Wednesday next week. There was no application for bail.

Discontent grows over women priests

By PAUL WILKINSON

UP TO A quarter of the clergy in the diocese of Durham are contemplating resignation over the issue of women's ordination, and several more are holding back from openly joining the dissenters' ranks. Although Durham diocesan officials say they will not become involved in a numbers game, the figure of up to 60 priests allowing their names to go on a list compiled by a leading campaigner in the diocese is far greater than the 25 predicted before the measure was passed last month.

It is also a possible source of embarrassment for Dr David Jenkins, the Bishop of Durham, and the suffragan bishop of Jarrow, the Rt Rev Alan Smithson, who have spoken strongly in favour of women's ordination.

The total of 60 is claimed by

the Rev Ian Hoskins, rector of St Margaret's, Durham, and a sympathiser with the Cost of Conscience movement, which is opposed to the ordination of women. "A lot more are seriously disturbed, but have not gone as far as saying they are contemplating resignation," Mr Hoskins said.

A spokesman for Dr Jenkins said that he would not make any public comment on the issue until after the new year to allow time for reflection. However, it had always been expected that there would be difficulties for some priests, as well as laity, which ever way the vote went.

There was surprise that the number was apparently so high. Dr Jenkins and the Bishop of Jarrow have organised a series of meetings with the doubters.

CRAIG BROWN



A: I certainly want to be involved in all areas of Christmas shopping. At this stage it would be a great mistake just to go for a narrow type of present, though of course we must learn to specialise in areas of excellence simply than going after everything, willy-nilly.

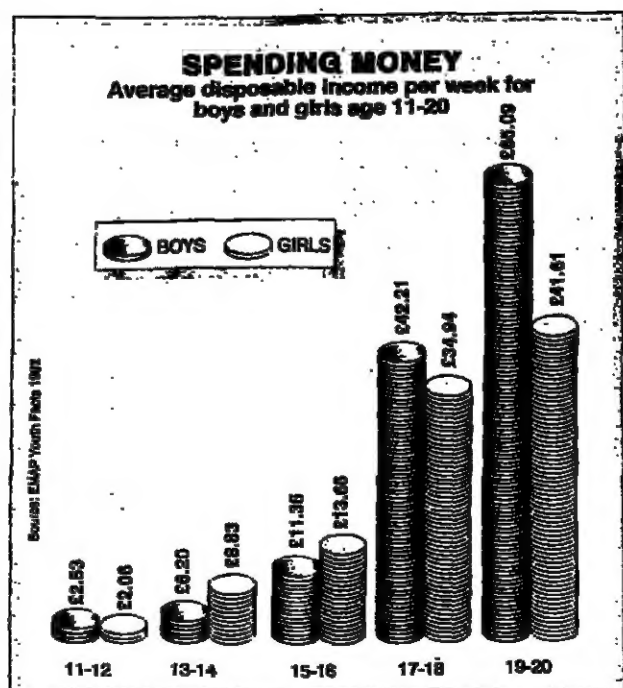
Q: What have you asked Santa to give you this Christmas?
A: I've asked him to come up

with a wide range of ideas in a discussion document, to be printed as soon as possible - or indeed later - ideas that, on the one hand won't be simply dry and elitist, but, on the other, won't be cheap ways of gaining popularity.

Q: And Santa will make this discussion document available in time for Christmas?
A: In time for Christmas '96: yes, I am confident that we can have every hope of that, viability permitting.

Q: Happy Christmas, Mr Birt.
A: Thank you, and may I wish all your readers a broadly-based Christmas, offering fresh challenges for the new year. Alternatively

Q: I'm afraid that's all we have time for, Mr Birt.



A LAW FOR PRIVACY?

SHOULD there be a law to protect privacy? Sir Louis Blom-Cooper, QC, and Lord Williams of Mostyn, QC, will join Simon Jenkins, the former editor of *The Times*, and Richard Shepherd MP to debate the issue at the London Press Centre, New Street Square, London EC4 on December 2 at 6.30pm (071-704 9941). Lord Woolf will be in the chair. To obtain tickets to the forum, should there be a law to protect privacy, being held in association with Rubinstein Callingham, Polden & Gale, fill in the coupon at right.

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French refuse to lift threat of veto on trade deal

By MICHAEL HORNSEY

FRANCE remains opposed to a world trade deal that includes the cuts in farm subsidies agreed by European Community and American negotiators in Washington early last month, a senior French government minister said yesterday.

Asked whether France was prepared to lift its threat to veto a General Agreement on Tariffs and Trade settlement, Jean-Pierre Soisson, the French agriculture minister, replied brusquely: "No change," as he emerged from a three-hour meeting over lunch with his British opposite number, John Gummer, in London. Mr Soisson brushed aside further questions.

The two men dined on fresh tomato soup and roast English lamb with caper sauce, washed down with red and white Burgundy from Mr Soisson's home region. The meal failed to change the French minister's view that a Gatt deal as proposed would impose a bigger burden on French farmers than they would have to accept under the recent reform of the European Community's common agricultural policy.

Mr Gummer said: "The French government does want to have a Gatt settlement but it does have some very real problems on the agricultural front and our job will have to be to try to find the best way in which we can help them."

Mr Gummer said he had received "an absolute and total" assurance from Mr Soisson that the French government would "use all the force of French law" to prevent French farmers from disrupting exports of British livestock and farm produce to the Continent. A militant faction of French farmers has threatened to start a campaign of attacks on lorries carrying British produce today. They

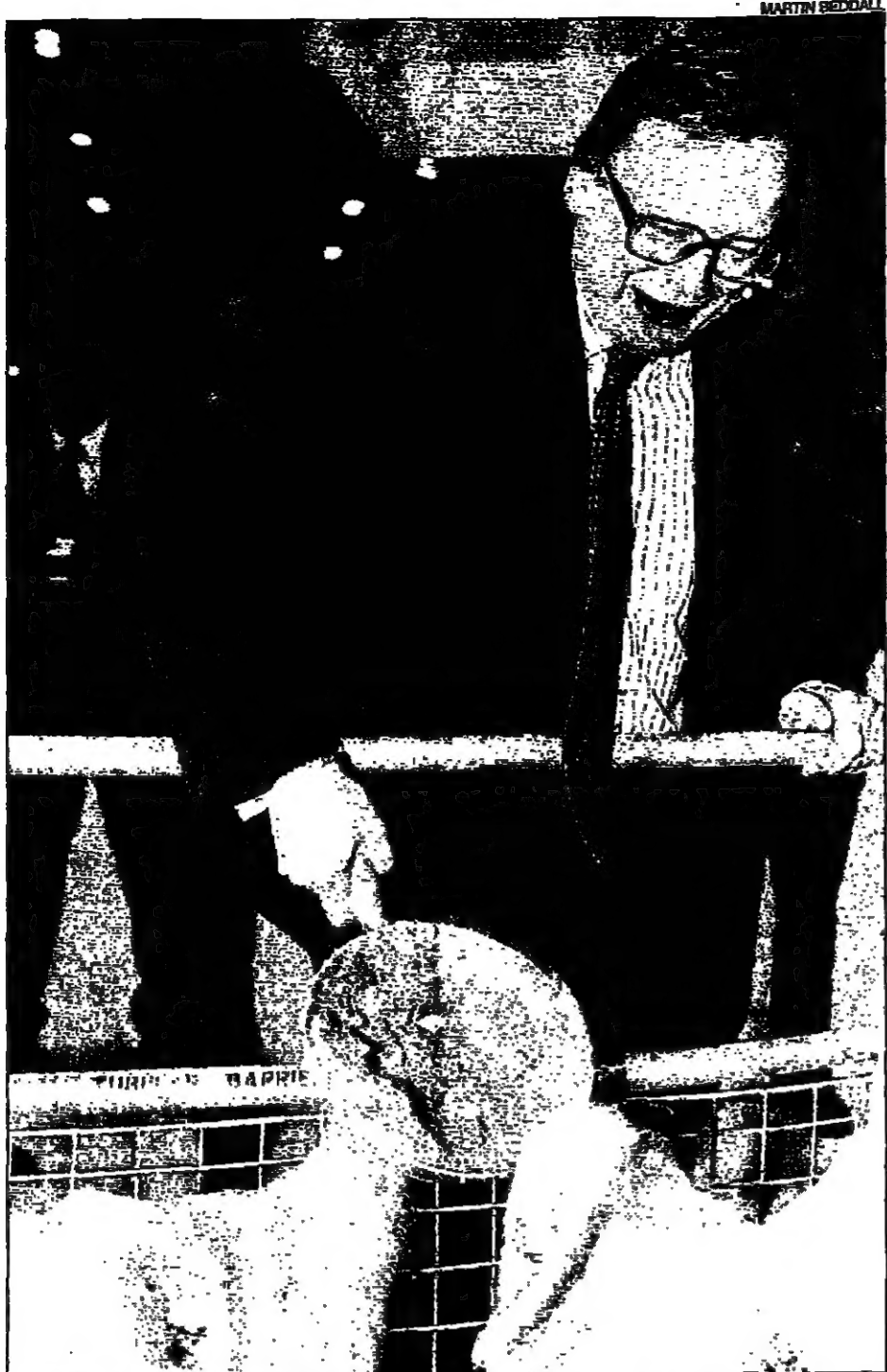
accuse Britain of conniving with the United States to push through a deal on reducing farm subsidies that goes beyond the cuts envisaged under CAP reform.

Mr Gummer said that all the evidence he had showed that the proposed Gatt settlement could be accommodated within the reform. "The deal in Washington was a good one for Europe. The Americans have moved very significantly in our direction," he said. As a major exporting country, France needed a Gatt settlement as much as any country in Europe.

Earlier David Naish, president of the National Farmers' Union, said violence by French farmers against British exports would be outrageous and counter-productive. "We can understand the concern of French farmers, but taking to the streets is not the best way to make progress. It is time for cool heads and steady nerves rather than for violence," he said.

Speaking at the Royal Smithfield Show at Earls Court in London, Mr Naish said: "We do not want the policymakers to stop listening to us because we are behaving like hoodlars." The Gatt deal would put extra pressure on agriculture but there was still room for negotiation on the details of its implementation even though the broad framework could not now be altered.

The NFU shares some of the French concerns about the future impact of a Gatt deal. In particular there is worry about the possibility that the amount of arable land that will have to be left fallow will need to be increased beyond the 15 per cent required under the CAP reform if the EC is to stay within the export limits agreed with the United States. Any increase would bear heavily on Britain because few



Bringing home the bacon: John Gummer, the agriculture minister, gets hands-on experience of pig farming at the Royal Smithfield show at Earls Court yesterday

British farmers are small enough to be exempt from the set-aside requirement.

Brussels: Jürgen Möllemann, the German economics minister, yesterday warned the French government not to jeopardise the Gatt accord (Tom Walker writes).

At an EC energy council in Brussels, Herr Möllemann said that if France vetoed the

deal with Washington, then the drawn-out problems of Britain and Denmark ratifying the Maastricht treaty would be aggravated. "That is why the German government is asking its French friends to be more flexible," Herr Möllemann said.

Today 50,000 farmers were expected to take to the streets of Strasbourg to demonstrate

against the Washington deal. Pierre Bérégovoy, the prime minister, appealed to them: "Don't play with fire."

Yesterday the agricultural violence spread to Spain, where the American embassy in Madrid was pelted with potatoes, fruit and grain by farmers.

Final harvest, page 25

Maastricht rebels vow to fight for referendum debate

By JILL SHERMAN AND PHILIP WEBSTER

TORY Euro-rebels said last night that they would fight against moves to block a referendum amendment to the Maastricht treaty, which returns to the Commons today for what is expected to prove a sorry committee stage.

The warning came after Michael Morris, the deputy Speaker, told MPs that he would take a tough line if they tried to disrupt the passage of the bill with endless points of order. Mr Morris, who will chair the committee stage, took the unusual step of trying to ensure an orderly passage for the bill by calling in signatories from all parties of the 350 amendments that have been tabled. Nearly 100 amendments have not been accepted because they have been out of order.

In an effort to reduce filibustering, Mr Morris told selected Euro-loyalists and Euro-sceptics how they could use his office to get amendments in order and to make representations rather than raise these in the House. He made it clear, however, that no money resolutions — covering a referendum — would be accepted.

Mr Morris also angered many Euro-sceptics by suggesting that the first amendments would be grouped together in a general common-purpose heading. This would include a debate on a Liberal Democrat motion, that Title 1 of the Maastricht treaty, which describes the nature of the European union, should be included in the bill. Many of the leading rebels, such as Sir Teddy Taylor, were furious last night that the bill was so short that it would only allow debate on a very small part of the treaty. Sir Teddy was also clearly angry that a referendum was out of order.

Mr Morris spent yesterday afternoon seeing some MPs on their own and others in a group to try to persuade them against raising interminable points of order today.

Although ministers are expected to bring proceedings tonight and tomorrow night to

a close relatively early, all-night sessions are more likely when the committee stage continues early next year.

Ministers are still counting the cost of the concession granted by John Major to avert a defeat in the Commons on November 4. The pledge then that the bill's third reading would not be held until May, after the second Danish referendum, has undoubtedly weakened the government's negotiating stance in the run-up to Edinburgh.

Senior ministers, however, are increasingly optimistic that the Danes, who inherit the EC presidency from Britain in January, will be in a position to hold their referendum in the spring.

Provided the Edinburgh summit can give them satisfaction on the four key doubts they have raised on the treaty, including citizenship and the single currency, ministers believe they Copenhagen counterparts will be determined to clear up the "Danish question" while they are in charge of running the Community. Were they to fail to do so, Mr Major would face the dilemma of whether to wait indefinitely for the Danes, or to press on regardless in May, prompting charges from the sceptics that he had reneged.

The Labour party is unlikely to vote as one against the government, unless it attempts to bring in a "gallotine" motion to limit discussion. It will, however, support amendments for the social chapter, the election of the committee of regions and amendments relating to economic and monetary union.

Dr Jack Cunningham, the shadow foreign secretary, left the door open on Sunday for Labour to vote down the bill when it reaches its final reading next year, although party sources emphasised yesterday that no decision had been made. Tory whips know that they will have to be on their guard for the ambush, in which the diverse opponents combine to inflict a damaging reverse on the government.



Commons urged to back synod

MPs were urged yesterday not to overturn the Church of England decision to allow the ordination of women. Michael Allison, who answers in the Commons for the Church Commissioners, said: "It is the standard tradition we do not overturn the majority reached in the General Synod." The church would compensate any clergyman who felt he had to leave because he could not accept women priests. MPs are expected to vote on the issue next July.

War files

Secret files relating to German wartime occupation of the Channel Islands are to be made public today, Kenneth Clarke, the home secretary, said. Some will not be opened "on the grounds of personal sensitivity".

Court plea

The Lord Chancellor's department is considering a suggestion that magistrates' courts should open in the evening for the convenience of court users.

Culprit sought

An investigation is to be carried out to discover who drew a moustache on the portrait of Baroness Thatcher that hangs in the new Parliament Building, Betty Boothroyd, the Speaker, said.

In Parliament

Commons (2.30): Questions: employment; prime minister. European Communities (amendment) bill, committee, first day. Lords (2.30): British Coal and British Rail (transfer proposals) bill, committee, second day.

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MPs demand rethink on defence cuts

By SHEILA GUNN
POLITICAL CORRESPONDENT

THE government should abandon the deep cuts planned in the armed forces under its *Options for Change* programme, the Commons defence committee says.

The committee, under its new chairman, Sir Nicholas Bonsor, argued that since the phased reduction of about 100,000 jobs was drawn up in July 1990, the defence commitments had changed, casting doubt on the wisdom of sticking to the original plans. From the report on the defence estimates, and last week's sessions with defence officials, the MPs have made it clear they are increasingly anxious that the smaller army could be overstretched in meeting commitments in Northern Ireland, Yugoslavia and elsewhere.

Since the cuts were announced there had been the



Bonsor: questioning wisdom of proposals

potentially violent break-up of the Soviet Union, withdrawal of Soviet forces from Central and Eastern Europe, the break-up of Yugoslavia, growing instability in the Near and Middle East, and further military commitments to the United Nations. The MPs hinted that demand for the cuts came from the Treasury. "It does ...

seem odd that new force levels and structures were fixed in July 1990 with some precision before the basic roles which they were to fulfil had been determined even within the defence ministry."

Malcolm Rifkind, the defence secretary, assured the committee that the strategic changes did not change the reasoning behind *Options for Change*. The committee said: "This implies that the key choices made in 1990 have ... produced solutions robust and flexible enough to cope with unforeseen changes, leaving the current administration the task of carrying through decisions already made. We find this barely credible."

The report pointed out that redundancies would cost around £400 million a year for three years, which would take some years to recoup. "Should numbers be increased again in that period, those responsible will be open to the accusa-

tion of financial profligacy," the MPs said.

The report also questions whether the decisions taken in 1990 to halve the submarine fleet, the Royal Armoured Corps and the Tornado bomber force still look plausible. "The time has now come to stand back and take stock of the totality of the proposals for British armed forces for the next decade, in the light of recent changes in the strategic environment, and of pressures on the defence budget."

The MPs were appalled that a situation had been allowed to develop in which there were insufficient spares for major equipment as a result of Treasury pressures "and also apparently because of a belief that they would never be required to fight".

House of Commons defence committee 1st report: Statement on the defence estimates 1992 (Stationery Office) £23.50.

Peers fail to halt privatisation bill

By ARTHUR LEATHELEY

THE government comfortably fought off an attempt by Opposition peers yesterday to shelve a bill paving the way for coal and rail privatisation. Labour and Liberal Democrat peers were angered by the government's determination to press ahead with legislation affecting the coal industry before completion of the pit closure review announced in October.

The bill was withdrawn by the government in October in the wake of controversy over plans to shut 31 coal pits, 21 of which were later made the subject of a moratorium pending an independent enquiry. Peers argued yesterday that nothing had changed, and that it would be premature to re-introduce the bill, which allows British Rail and British Coal to call in outside advisers to help plan towards privatisation.

The motion to delay the British Coal and British Rail (transfer proposals) bill, moved by Lord Richard, Labour's new leader in the Lords, was defeated by 165 votes to 106, a government majority of 59. Lord

Richard said that the Lords had voted in October not to proceed with the bill until there had been a full and open coal industry review. "I find it quite astonishing that this bill is back again in front of the House." He had three basic objections. The bill was now being considered on the same basis as in October, it was impossible to argue that it had nothing to do with the closure programme, and to proceed would go against the specific resolution of the Lords.

Lord Richard was assured by Lord Wakeham, for the government, that the bill for actual privatisation would not come before Parliament before the coal industry review was complete. Lord Jenkins of Hillhead, the Liberal Democrat leader in the Lords, said that "the least esteemed government within living memory" should be trying to win friends rather than alienate everybody.

Later, an attempt by Lord Ezra, the former Coal Board chairman, to omit British Coal from the bill, was defeated by 51 votes.

Move to boost pensions

By ROBERT MORGAN, POLITICAL STAFF

IN AN attempt to discourage people from giving up personal pensions, an additional 1 per cent National Insurance contribution rebate for those aged 30 and over is to be introduced next April.

Moving the second reading of the social security bill, Peter Lilley, the social security secretary, told the Commons that, despite Labour predictions, personal pensions had become popular and nearly five million people had taken them up since they started in 1985. They were particularly attractive to younger people. Over the same period more people had joined vocational

pension funds. Unlike the state-run Serps, private pensions raised money which could be invested in industry.

The bill provides for several billion pounds to be transferred from the consolidated fund to the national insurance fund to make up the shortfall. The grant would allow for greater flexibility in operating the fund, Mr Lilley said.

Donald Dewar, the shadow social security secretary, said that the subvention was a monument to the failure of government economic policy over the past three years. It showed how deep the recession had been.

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Neo-Nazi to be charged over Turkish arson deaths

FROM JOHN HOLLAND IN BERLIN

THE German state prosecutor's office is to charge a 19-year-old right-wing extremist living in the same village where an arson attack last Monday took the lives of three Turkish immigrants. Prosecutors say the man, identified only as Lars C., was placed in preliminary custody at the weekend while charges were considered.

A witness to last week's two fires in Mölln provided police with the suspect's name, Lars C., according to police, was active in a neo-Nazi group run by Michael Peters, who was held briefly last week in connection with the fire but later released.

Police also arrested five men yesterday in connection with the attempted firebombing on Sunday of a refugee home in the town of Winsen, south of Hamburg. Police say one of the men has already confessed to taking part.

The other suspects were older than the average skin-head, their ages ranging from early 20s to mid 30s. All five were to be charged with attempted murder. The Roman family escaped injury and the father was able to extinguish the blaze.

The spate of arrests came as Sabine Leutheusser-Schnarrenberger, the justice minister, planned to broaden the powers of Alexander von Stahl, the German state prosecutor, to handle cases of right wing extremism. Formerly, Herr von Stahl and his predecessors had dealt with cases of terrorism against the state such as that committed by the Red Army Faction in the 1970s. A number of commentators say German officials have reached the conclusion, albeit belatedly, that the attacks on refugees and asylum seekers, and now against permanent residents such as Turks, could qualify as acts of terrorism.

Abraham Meizer, 47, an independent Jewish publisher living near Frankfurt, addressed the growing fear and some calls to take arms in the German Jewish community,

saying that Jews were considering arming themselves.

The suggestion had been made publicly last week by Ralph Giordano, a German Jewish writer. "I spoke to a number of people in the Jewish communities in Frankfurt and in Cologne and all of them are afraid. It starts with a general feeling of the political situation and ends with real fear of one's own life."

German Jews are buying guns and fire extinguishers, he said. "We read everyday of new asylum homes being attacked and we don't want to be burned to the ground."

He suggested that many Jews were beginning to think of going to Israel and that 36 families had already left in the past month.

"These are the fruits of Bitburg," he said, referring to the meeting of Helmut Kohl, the chancellor, and former President Reagan at the SS cemetery in 1987. They thought that if they were blind in their right eye that they would win over the right-wing vote. Now the right believes that it can act with impunity because the state is doing nothing.

"It's not a panic yet but could become a panic in a day or a night. It's a dangerous situation because the government is not taking it seriously, only discussing it. When the first Jew is killed then you will have the panic."

At a ceremony marking the 40th anniversary at the memorial in Bergen-Belsen, the head of Germany's small Jewish community warned about forgetting the horrors of the past and accepting current violence as normal. "We risk getting used to violence, as if it belonged to our daily lives," Ignatz Bubis told the crowd of about 600 assembled for the service.

Rita Suessmuth, president of Bonn's parliament, agreed that it would be wrong to underestimate the wave of racist violence. "Whoever thinks this is just done by a few violent hoodlums is mistaken," she said.

Five passengers die as Dutch express train goes off rails



Rescue mission: workers struggling to lift a survivor from the wreckage of a train that left the rails yesterday near Hoofddorp, southwest of Amsterdam. Five people were killed and 33 injured, six seriously, when the engine and front carriage of the Amsterdam-Flushing train careered off the track at about 7.15am, spun 180 degrees, and smashed into trees and an office building close by. The

remaining carriages slid forward and then shunted together like a concertina (Mark Fuller writes). Four of the seven carriages were derailed. Witnesses said passengers were catapulted through carriage windows, some of them landing under the wheels of the train. Injured people were stumbling in the mud, screaming for help. Rescue workers said wreckage and bodies were scattered over a

wide area by the force of the crash. Many people were trapped in the tangled metal of the locomotive. "The train kept increasing its speed and then it felt as if it were suddenly blocked. It slid forward and then everything was quiet. It all happened in a second," Mr E. Kruitthof, a passenger, told a Dutch newspaper. Difficult access to the scene, bordered by a ditch and set in farmland near

Hoofddorp, about six miles from Amsterdam, impeded emergency workers. One report said it took 45 minutes for the first ambulance to arrive. Many of the injured were taken to hospital by helicopter. Yesterday's derailment follows a similar incident near the same site on Saturday, when an Amsterdam-Paris intercity slid off the track, but then there were no injuries. The railways declined to comment.

Paris and Bonn calm Nato fears

FROM GEORGE BROCK IN BRUSSELS

IN A move intended to calm British and American fears that France and Germany are setting up a military alliance to rival Nato, Paris and Bonn last night accepted that their joint "Eurocorps" could fight under Nato commanders.

The compromise, outlined in a brief three-page memorandum delivered to Nato ambassadors here, should defuse a row between European governments which has simmered since President Mil-

terrand of France and Helmut Kohl, the German chancellor, announced plans for a 35,000-strong joint army corps earlier this year. Other Nato governments, led by Britain and America, feared the two had signed secret agreements that would deprive Nato of German troops in an emergency.

Yesterday's offer from the two governments makes clear that the availability of German troops for Nato duties is

unchanged. It also allows for French soldiers to fight with Nato or to take part in its peacekeeping or humanitarian missions. Unlike Germany, France is not part of the military structure of Nato.

Yesterday's memorandum marks an important shift in France's attitude to the 16-nation Nato alliance. Until very recently French ministers and officials had actively campaigned to shrink Nato's post-Cold war role in Europe.

Atrocities blamed on Bosnian Serbs

BY MICHAEL BINYON, DIPLOMATIC EDITOR

THE United Nations Human Rights Commission, meeting for only the second time ever, was poised yesterday to blame Bosnian Serbs as primarily responsible for atrocities in Bosnia-Herzegovina.

The commission's principal investigator, Tadeusz Mazowiecki, endorsed a draft resolution by Turkey and America which largely blamed the Serbs for the tragedy in Bosnia. Declaring that the Muslims were "virtually threatened by extermination", the draft called on the world community to decide whether genocide had not already occurred. It expressed deep concern at the "continuing grave, massive and systematic violation of human rights" in parts of Bosnia under Serbian control. It condemned "ethnic cleansing", blaming the Bosnian Serb leadership, the Yugoslav army and the political leaders in Serbia for this "repulsive practice".

Turkey, which has called for UN intervention to protect the Muslims, said the question inside former Yugoslavia was whether the Muslim population would survive. Elsewhere, it was whether the world, in the aftermath of this tragedy, would be "worth living in for the rest of us". Morris Abraham, the American delegate who helped prepare the brief

during the Nuremberg war crimes trials, said the world should not only aid the living but "exact justice for the dead". The commission is likely to endorse the draft resolution today, but it has no power to translate its findings into action in the UN.

Muslim nations meeting in Jeddah today are to express anger at the world's failure to protect their co-religionists in Bosnia, urging prompt outside intervention. Saudi Arabia said yesterday it was willing to commit troops to a multinational force to end the fighting, as foreign ministers of the Organisation of the Islamic Conference endorsed calls for more aid to the Bosnian Muslims who have lost land and belongings. Other representatives gathering in Jeddah also indicated they were ready to take part in a military effort. The conference is likely to see Islamic nations pledging a large increase in funds to allow Bosnian Muslims to buy arms.

Suleyman Demirel, the Turkish prime minister, said in London last week that Turkey was ready to send troops to Bosnia. Radical countries such as Iran have been outspoken in denouncing what they see as Western connivance with the Serbs in crushing the Muslims.

Harris Silajdzic, the Bosnian foreign minister, is in Jeddah and said on Sunday that lifting the arms embargo against Bosnia was an urgent matter. Lord Owen and Cyrus Vance, the international negotiators, will also be at Jeddah. □ Belgrade: Milan Panic, the Yugoslav prime minister, is to challenge Slobodan Milosevic, the Serbian leader, for the presidency of Serbia in December's election. His decision prompted the disintegration of his government. Three ministers closely linked to Mr Milosevic have resigned or been fired by Mr Panic and two have attacked him.



Mazowiecki endorsed UN draft resolution

UK ready for tough EC summit

BY MICHAEL BINYON

BRITAIN'S European Community partners should not write off the Edinburgh summit as a failure in advance, and they should not be taken in by "bogus public belligerence" designed to improve bargaining positions, Douglas Hurd, the foreign secretary, said yesterday.

But Mr Hurd also warned other countries that Britain would not abandon the British rebate simply because it came up for discussion during the British presidency. The government would veto any attempt to cut back the amount that is repaid to Britain.

He said the past five months had been among the most turbulent in the Community's history. The need for action was urgent, but picking a way forward was a slow, painstaking business.

In several areas, he said, the Community was approaching the end game. "National interests are at stake; elections are in the offing; politicians succumb to the cutting phrase," he told the Foreign Press Association.

French veto, page 10
Final harvest, page 25

Britain proposed as role model

FROM CHARLES BREMNER IN PARIS

AS FRANCE waited for President Mitterrand's proposals to overhaul the constitution, Michel Noir, mayor of Lyons and a conservative minister in the mid-1980s, called for the system of government to be replaced with a version modelled on that of Britain.

M. Noir, a maverick who broke with the neo-Gaullist RPR, thinks the parliamentary form of government is the best antidote to the way the presidency has become a near monarchical institution, unaccountable to an ineffectual parliament. M. Noir would also like to see an end to the French practice of simultaneous office-holding, under which many ministers or parliamentarians are also mayors

and regional councillors. This is one element in the sensitivity to the mood of farmers. Other politicians are suggesting something along the lines of the American system, with an independent legislature and judiciary. Opinion polls find the only reform clearly favoured by the public is a reduction of the seven-year presidential term to two years.

The president's scheme is expected to be far short of radical. He says he wants to strengthen the role of the National Assembly, drawing on "the best of the Fourth Republic and the Fifth". The postwar Fourth Republic had weak, indirectly elected presidents and fell victim to parliamentary paralysis.

Along with the centrist groups, the Gaullists are hoping to dominate the parliament in elections next March and form a government. Unless the president chooses to leave office, this will amount to a two-year repeat of the uncomfortable "cohabitation" government from 1986-8.

The opposition seems another of the president's machinations. The RPR's spokeswoman yesterday called the constitutional reform "a diversionary manoeuvre". A consensus of politicians and experts, however, agree that the Fifth Republic has evolved into an unwieldy and undemocratic institution which has handed too much power to one man for too long.

UN 'could have saved Iraq lives'

Nicolas Amnery International has accused Iraq of killing hundreds of civilians and criticised the United Nations for failing to act on a proposal by its special investigator to send human rights monitors to Iraq.

"That action could have saved countless lives if it had been acted on sooner," Amnery said. President Saddam Hussein unleashed a wave of terror against Iraq's Shia Muslim population to crush the anti-government rebellion that erupted in the wake of the Gulf war. (AP)

Call for greater Aids spending

Geneva: Spending on Aids prevention in developing countries needs to be boosted to \$2.5 billion (£1.6 billion) a year, 20 times the current outlay, the World Health Organisation said yesterday.

In a message marking World Aids Day today, the WHO said that by 2040 developing countries would account for 80 per cent of cases and there would be ten million Aids orphans. (AFP)

Guard killed

Madrid: A civil guard was killed and another was injured, together with two civilians, when a car bomb exploded outside a block of flats occupied by families of members of the security forces in a Madrid suburb.

Namibia votes

Windhoek: Voting began yesterday in Namibia for regional and local elections since independence in March 1990. More than half a million people, 77 per cent of the eligible population, registered to take part. (AFP)

Killer jailed

Trenton, New Jersey: Arthur Seale, who admitted kidnapping and killing Sidney Rezo, an Exxon oil company executive, has received a maximum federal sentence of 95 years in prison with no chance of parole. (AP)

Penalty daws

Tokyo: Etsuo Mieda, a Japanese fireman who put a dead cat in the desk of a hated boss, lost his appeal against a suspended jail term for "horrible obstruction of business". He also filed his boss's pocket with dog droppings. (Reuters)

Easy rider

Dax: French police arrested a former convict, aged 60, who allegedly held up a post office in Buges last week and stole 47,000 francs (£5,600) to buy himself a car so that he would no longer have to make his getaways by bicycle. (AFP)

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Iranian navy chief confirms purchase of Russian subs

By MICHAEL EVANS, DEFENCE CORRESPONDENT

IRAN has bought three diesel-powered Kilo class submarines from Russia, Rear Admiral Abbas Mohtaj, the country's navy commander, confirmed yesterday. But he gave no hint of when the boats would all be in service. One submarine has been delivered already and is based outside the Gulf.

Yesterday's confirmation from Admiral Mohtaj comes as concern grows in the West about the build-up of arms in Iran. The arrival of the first Russian submarine for the Iranian Navy raised fears about the potential threat they posed to international shipping in the Gulf.

Iran is the first country in the region to possess a submarine, although Admiral Mohtaj claimed that Saudi Arabia had had a submarine since 1988 and now had two in service. He claimed also that Kuwait had ordered a submarine from the West.

In fact, Saudi Arabia does not have full-size submarines in service but is believed to have two 225-ton midget craft that it bought from South Korea in 1989. Midget submarines are highly specialised and can be used for sabotage, laying mines and carrying commandos.

Captain Richard Sharpe, editor of *Janet's Fighting Ships*, said the Saudis were known to be interested in acquiring submarines but none had been bought from the West. Saudi personnel had, however, received training in France and Pakistan. Two years ago, Saudi Arabia

was reported to be interested in buying five submarines from France but the deal never went through.

Iran's first submarine, which Admiral Mohtaj said would have a 52-man crew, joined the Iranian fleet in the southern Gulf earlier this month after a voyage from Russia. The boat is believed to be based at the port of Chahbahar, outside the Strait of Hormuz, giving it access to the deeper waters of the Gulf of Oman. If Tehran were to use it for hostile action in the busy waterway, it would be highly vulnerable to attack once it returned to base.

Admiral Mohtaj gave the cost of the submarines as \$450 million (£295 million) each. He said the boat already in service had been renamed *Tareh 901* and had "advanced facilities and weapons for naval war". Quoted in the *Salam* newspaper in Tehran, the admiral defended what he called Iran's natural and legal right to bolster its military defences, and criticised Western interest in Iran's purchase of submarines. "It is surprising that they are raising such a ballyhoo over a single submarine," he said.

He added that Iran's military expenditure was far less than that of its pro-Western Arab neighbours in the Gulf Co-operation Council, whose states had signed arms deals worth \$200 billion over the past ten years. This compared with Iran's military spending over the past five years of "\$8 billion", including running costs, he said.

The *Tareh 901* was delivered to Iran by a Russian crew, now believed to have returned home. Capt Sharpe said the important question was whether there were Russian "mercenaries" helping the Iranians. Although Iranian sailors received training at a Russian naval base in Leningrad, full-time operation of a sophisticated submarine required experienced handling, he said.

The export version of the Kilo class boats is equipped with up to 18 torpedoes or 24 mines. The other two submarines which are on order from the Russians are not expected to be in service with the Iranian Navy for several years. □ Prospects improve: The four-nation European Fighter Aircraft programme now had an excellent chance of going ahead as planned, Malcolm Rifkind, the defence secretary, said yesterday.

There will be talks on the future progress of the £20 billion project in Brussels next week between defence ministers and chiefs of staff from Britain, Germany, Italy and Spain. Germany had threatened to withdraw from the production phase.

Speaking after visiting the British Aerospace factory at Warton in Lancashire, one of the principal plants building EFA, Mr Rifkind said: "Our discussions with the German, Spanish and Italian governments now suggest there is an excellent probability the project will be going ahead." Recent studies have found ways of trimming the cost of the aircraft by as much as 30 per cent.

Israel seeks to end ban on PLO link

FROM RICHARD BRESTON IN JERUSALEM

ISRAEL will take the first practical steps this week to opening contacts with the outlawed Palestine Liberation Organisation when the government presents a bill before the Knesset abolishing the ban on meetings with PLO officials.

In one of the most significant acts of legislation since the Labour-led coalition came to power five months ago, David Libai, the justice minister, is due to present the bill before the Israeli parliament today for a first reading. "There is no country in the world which punishes meetings with the enemy by imprisonment, when the person making the contact has a reasonable explanation for his action, did not damage and had no intention of damaging state security," Mr Libai said. The ban, imposed by the right-wing Likud government in 1986 further to isolate the exiled Palestinian leadership, led to embarrassing episodes such as the jailing of Abie Nathan, an Israeli peace activist. More recently the law was flouted by left-wing MPs and Palestinian leaders from the occupied territories who held public meetings with Yasser Arafat, the PLO chairman.

The decision to lift the banning order is expected to create fresh problems for Yitzhak Rabin, the prime minister, who insists that the PLO remains a "terrorist" organisation and should continue to be excluded from the Middle East peace talks, where the Palestinians are represented by leaders from the occupied territories in a joint delegation with Jordan.

Not only will the government face right-wing criticism for being "soft on terrorism", but Mr Rabin, who tried to delay the lifting of the banning order, also fears that it could send the wrong signal to Washington, which is reconsidering its ban on contacts with the Palestinian leadership in Tunis. There is also concern that if the new Clinton administration believes that Israel is softening its position on Mr Arafat, it might reconsider his exclusion from the peace process, one reason that the talks have remained stalemated for more than a year.

There has been pressure from Arab states, Palestinian negotiators and during the recent visit of President Mitterrand of France for Israel to accept the PLO as a negotiating partner, and to rehabilitate Mr Arafat as the only leader capable of speaking on behalf of the Palestinians.

Suu Kyi risks life in struggle with Burmese junta

By DAVID WATTS, DIPLOMATIC CORRESPONDENT



Defiant stand: after more than three years in detention, Suu Kyi's state of health was described yesterday as critical by her husband

A YEAR after she was awarded the Nobel Peace Prize Aung San Suu Kyi is preparing to fast to death to force the Burmese military regime to relent on its decision to detain her.

Describing her situation as "very critical", her husband, Dr Michael Aris, said: "I am now very concerned that soon she will have no means at all of sustaining life." He believed that she was now effectively on a hunger strike to protest against her illegal detention since July 1989 and the refusal of the junta to recognise the overwhelming victory of her National League for Democracy in the May 1990 elections in which the league had won 82 per cent of the seats.

She has always been ready to negotiate with the military rulers but the authorities have always refused her entreaties to enter into a dialogue. The only substantive response has been to retroactively extend her detention under a 1975 law to protect the state "from destructive and disruptive elements".

"Suu Kyi is doing what she believes is right. I stand by her; I support her in her decision. I completely understand it. I believe I'm doing right in revealing to the world what I know of her condition. The alternative of doing nothing is unthinkable," Dr Aris told a press conference at Daw Suu Kyi's Oxford college, St Hugh's, of which she is an honorary fellow.

Dr Aris was speaking directly to the press for the first time since her detention. He has always been careful not to

antagonise the Burmese authorities, knowing full well that it might rebound on Daw Suu Kyi, who remains a Burmese citizen.

Cut off from human contact for the three and a half years she has been under arrest at her family residence — except for a rare visit from her husband and children — she has virtually run out of money and food. In an extraordinary Ghandian gesture of defiance she has sent a message through the military government to her husband, advising him not to visit her this month with her two sons because she has insufficient money to receive them.

Dr Aris said she had donated the \$1 million (£660,000) she won with the Nobel prize "to the health and education of the Burmese people through a trust". "The meagre personal funds she has used to maintain herself while her solitary detention continues are now almost exhausted," he added.

Refusing food or monetary help even from her own family she has resolutely stood her ground against the government with only a radio and a broken and out-of-tune piano for company. "The issue now is not access to my wife. It's her health and her life," Dr Aris said yesterday.

Expressing thanks to the Burmese government for the past opportunities to visit his wife, he said: "I know how resolved she is in this. This is a decision she has not taken lightly... and she will take it through."

No-one outside of Rangoon really knows the state of her

health, which has been steadily deteriorating since her detention. She refuses to accept anything, even medical treatment, which can be construed as a favour from the regime, on the ground that any such assistance merely serves to help prolong her detention.

She knew that her husband, a fellow of St Antony's College, Oxford, and sons Alexander and Kim would come laden with food when they arrived in Rangoon this month. They had been planning to take Norwegian dried fish, Bhutanese dried yak and a copy of the *Encyclopaedia Britannica* to the rundown, family house from which she has not moved, so far as anyone knows, since her detention.

The next action regarding Daw Suu Kyi's health will come on Friday when the United Nations Third Committee will consider a motion sponsored by Sweden demanding that the Burmese government free her from detention and permit access to her. That proposal will quickly be followed up next weekend when Professor Kozo Yokota arrives in Rangoon on behalf of the United Nations Human Rights Commission. On his last visit, Prof Yokota sought but was refused permission to visit Daw Suu Kyi.

The daughter of Aung San, the founding father of Burma, Daw Suu Kyi came to international prominence when, campaigning for her league, she crisscrossed the country making speeches against the government in 1988.

White fears grow after club attack

FROM MICHAEL HAMLYN IN JOHANNESBURG

A WEEKEND attack on a golf club function in the little white Eastern Cape municipality of King William's Town in which four people died has increased the fears of white South Africans that they are about to become targets of black terrorism.

Whites have not usually been victims of political killing here. Most white deaths, apart from incidents such as the bombing of Magoos Bar in Durban by Robert McBride in 1985, have been as a result of robbery attempts made on isolated farmhouses.

The King William's Town attack, in which a grenade was thrown into a party followed by a hail of bullets from automatic assault rifles, has been claimed by an anonymous caller as the work of the Azanian People's Liberation Army, the armed wing of the Pan Africanist Congress. The caller claimed to be a member of the organisation. The security forces say that they were coming to the same conclusion.



Ramaphosa: defended training of ANC cadres

As a number of unexploded petrol bombs thrown into the party were similar to those used previously by the PAC's armed wing.

Fear of these political armies has been fuelled in the past two days by the disclosure that the African National Congress is still sending its cadres abroad for military training, eventually to join their armed wing, Umkhonto we Sizwe. The programme, under which 340 young men have been sent for basic training in Uganda and others to India for officer training, has been defended by Nelson Mandela, the ANC president, and Cyril Ramaphosa, the ANC secretary-general. Mr Mandela said the government knew of the continued need for training, since the movement needed a trained and disciplined army to defend the political gains that have been made.

Other observers have condemned the move. Political rivals of the ANC, such as the Inkatha Freedom Party and the PAC, would now be able to justify the training of cadres on similar grounds, said Peter Gastrow, the law and order spokesman of the Democratic Party. "Private armies at this stage ought to be disbanded, rather than expanded and incorporated into a restructured defence force," he said. □ Mistaken identity: A farmer shot and killed his 16-year-old daughter in their home at Hartbeespoortdam, northwest of Johannesburg, when he apparently mistook her for an intruder, police said. The man was due to appear in court yesterday for a possible murder charge. (AP)

UN chief wants troops to stop Somali clans

FROM JAMES BONE IN NEW YORK AND MARTIN FLETCHER IN WASHINGTON

BOUTROS Boutros Ghali, the United Nations secretary-general, yesterday asked the security council to launch an unprecedented military operation to save the starving in Somalia. He said that intervention by a multinational force was now the only way to stop armed bands disrupting aid supplies to the famine-stricken nation.

"There is now no alternative but to resort to Chapter VII of the Charter," he wrote to the council. But he left open the question of who would command the force, allowing the

security council itself to decide if it would accept a US offer of up to 30,000 troops, provided Washington remained in command of them.

"If forceful action is taken, it should preferably be under UN command and control," Mr Boutros Ghali wrote. "If this is not feasible, an alternative would be an operation undertaken by member states acting with the authorisation of the security council."

The planned Somalia operation would violate the traditional UN taboo against intervention in the internal

affairs of member states in the absence of any threat to international peace. But Mr Boutros Ghali proposed that, in the absence of any organised government in Somalia, the security council could simply declare that the famine threatened peace in the region and deploy troops under the "enforcement provisions" of the UN Charter.

In Washington, Bush officials are privately saying that the UN may ultimately be forced to run Somalia itself until elections can be organised and a viable government estab-

lished. An American-led military operation could restore food supplies with little difficulty, but a much greater UN effort would then be required to end the anarchy.

The Bush administration has offered up to 30,000 US troops to ensure humanitarian deliveries in Somalia, and most planners believe that task could be completed within a matter of weeks if approved by the security council. US troops would then hand over to UN peacekeepers.

Leading article, page 17

Peru grants asylum to rebels in failed Venezuelan coup

FROM DAVID ADAMS IN CARACAS

AS THE Venezuelan government gears up the country's justice system to arrange swift trials for military officers involved in last Friday's coup attempt, 93 rebel officers and soldiers were granted political asylum in Peru. They fled there when troops loyal to President Pérez put down the military rebellion.

Under an emergency decree the government will create new tribunals to shorten the military trials which usually last up to a year. Those found guilty of armed rebellion could be sentenced to up to 30 years in prison.

But the picture that has emerged after Friday's second coup attempt in less than ten months suggests that military discontent with the government is more widespread than was previously believed.

The worm (of military rebellion) is still alive," warned Teodoro Petkoff, candidate for mayor of Caracas in local elections next Sunday and a former guerrilla leader in the 1960s. President Pérez has

vowed to finish his five-year term as scheduled in February 1994, but he remains deeply unpopular among civilians as well as the military.

Local politicians agree that at least in the short term Señor Pérez may have been strengthened by the failure of the coup, but they question his ability to survive until the next election. "Pérez is the epicentre of the crisis and the military are disintegrating around him," said Carlos Azpurua, a congressman for "Causa R", a radical opposition party that favours democratic change.

The brutal way in which the coup was carried out and the apparent involvement of extreme left-wing armed groups, has shocked many Venezuelans who oppose the president and might have supported a military takeover by less violent means.

Despite press censorship introduced in a packet of emergency measures suspending constitutional rights, calls for the resignation of Señor Pérez continue to be voiced.

The Venezuelan writer Arturo Uslar Pietri publicly called on Señor Pérez to resign "as a way out of the crisis". He added: "To consider this is exclusively a military problem is to fail to understand the situation."

Expressing the prevailing mood of the country Señor Uslar Pietri said the problem lies in public disgust with a system that tolerates official corruption and inefficiency in public institutions while ignoring the need for profound reform to the Venezuelan democratic system.

Although Venezuelans did not answer a rebel call on Friday to take to the streets, many say they still support a military takeover. "People were frightened. It was too dangerous to go out on the streets," said one middle-class university graduate. "We would have supported the coup if it had succeeded. We support an interim military-civilian government until things can be sorted out," she added.

SINGLE HIGHLAND MALT SCOTCH WHISKY.

GLENMORANGIE

JOHNNY URQUHART, Head Cooper.

HAVING TOILED ALL WEEK - and sometimes all weekend - upon the oaken casks which impart the buttery translucence and flowery nose to the malt, our Head Cooper heads for

the river on a Friday afternoon. Here, by the rushy reaches of the Carron, he pits his wits against the salmon heading upriver, notes the flowers along the bank and the birds of the river, and forgets even his beloved barrels as he fills his mind with the sound of "the water tickling away."

And though he may return to Glenmorangie empty-handed, the skill and patience of the craftsman shine through in his explanation. "Simply catching fish," he will tell you, "is not necessarily the object of the exercise."



HANDCRAFTED by the SIXTEEN MEN of TAIN.

Solving a human puzzle

When disaster strikes, Philip Lewis and his team are first on the scene — to try to identify the dead, and help the living. Liz Gill reports

There can be few consolations for those dealing with the aftermath of a disaster as appalling as the Kathmandu air crash on September 28, in which 167 passengers perished, among them Andrew and Helen Wilkins, a British missionary couple, and their three children. Yet, says Philip Lewis, the chief executive of Kenyon Emergency Services, it was some small solace to be able to make a positive identification of each member of the Wilkins family: it meant that in death, as in life, they could be together.

Mr Lewis is the head of a team that specialises in the identification of bodies after disasters at home and abroad and has so far spent three months in Kathmandu where Kenyon has identified 64 of the victims, 19 of them Britons.

Some of the British relatives of the unidentified have criticised Kenyon and the Foreign Office for a lack of information about the precise date for a mass funeral, the usual procedure for unidentified bodies. Kenyon says that the suggestion by Pakistan International Airlines (PIA) the airline involved, that the burial might be this week was only ever tentative. Mr Lewis is in Kathmandu to finalise the arrangements for the mass funeral but Kenyon says this cannot be done until PIA and the Nepalese authorities reach agreement on the site. When they do, Kenyon says it will inform the families involved of a date.

Kenyon's emergency service, part of JH Kenyon funeral directors, began in the 1920s when, as the local undertaker, Kenyon was called in after an Imperial Airways plane crashed at Croydon aerodrome killing all seven aboard. Since then they have dealt with more than 100 incidents, from Piper Alpha to Zeebrugge.

They can now field a team of 20 including pathologists, forensic odontologists (experts in the anatomy, development, and diseases of teeth and related structures), mortuary technicians and a fingerprint and photography expert, as well as administrative staff, and 1.2 tonnes of equipment

ready to be freighted to the disaster site. Kenyon's services are paid for by insurers or, as in the case of Kathmandu, the airline involved. Mr Lewis says the need to put a name to a body is vital, not just for legal or insurance reasons but on humanitarian grounds. "It is part of grieving, part of the acceptance. Otherwise relatives might be tormented by the thought that the loved one never got on the plane, wasn't really there."

He and a colleague try to go to the scene within hours of the disaster, ahead of the rest of the team, to assess what is needed and to liaise with the authorities. Then the bodies are photographed in situ and numbered, before being removed, along with any nearby evidence. The exact place where each was found is marked with the same number. At the mortuary, which might be anything from a tent to an aircraft hangar, they are photographed again and their clothing and jewellery documented before being examined externally for tattoos, birthmarks, scars or any other revealing characteristics.

An autopsy follows, sometimes using X-rays — if a bomb caused the disaster small fragments of metal may be embedded within the body — and forensic odontologists carry out dental charting before the body is embalmed. "The autopsy which might seem unnecessary but which can provide vital information in determining the sequence of events: did the pilot have a

heart attack, was there smoke in someone's windpipe suggesting a fire before the crash?" Mr Lewis says.

While all this is going on relatives are being interviewed by other members of the team, either back at home or near the scene. "We need as many details as possible to compare with what the post mortem reveals," Mr Lewis says. "We prefer to do this at home, where people

will have things like addresses of doctors and dentists, so we advise airlines not to bring families out immediately but, if they do, to bring as much information with them as possible."

The parents of Cathy Stanham, one of the unidentified at Kathmandu, have complained that they have not been told what further detail might aid identification of their daughter. Kenyon says that identification of bodies now would be dependent on new information, something that a relative might suddenly remember.

At the company's headquarters in north London a computer compares one and a half million pieces of information and produces a list of possibilities. Dental checks are often the most reliable, but fingerprints are sometimes used — a print can be compared with one taken from an item at home — and DNA matching is a growing area, although sample must be compared with those from immediate relatives.

Ideally four or five different factors are needed to give a positive ID, although circumstances often produce

only two or three. Visual identification alone is frequently impossible, given the nature of many disasters, and at best unreliable and traumatic.

However, viewing the body privately is a different matter. "Most want to see the body, and there's no question but that it is a good idea," Mr Lewis says. "It's an integral part of the mourning process for many people. So we do try to restore the body to a viewable condition. Sometimes, however, there is nothing we can do, and we tell the relatives that is the case."

The last task is to arrange funerals with local clergymen and to repatriate bodies where necessary. "Most families want the bodies brought back, but some want a cremation out there and just the ashes brought home."

"If you have a mass burial you have to take into account all the different religions. If you are burying Muslims, for instance, they should face Mecca, but will moving the bodies offend the Jews? Generally I find that in these circumstances people are prepared to bend rigid views and usually we can hold an ecumenical service."

At 39 Mr Lewis has seen more than his share of tragedy and horror. "You have got a job to do and part of the time the technicalities take over, you've got a puzzle to solve. But you need always to bear in mind that you are dealing with human beings. We all get emotionally involved. If you see no effect on yourself in a job like this it's time you get out. The whole team is very supportive. At the end of the day we talk things over and if you need a shoulder to cry on you get it. I cope by knowing that I work in often very difficult circumstances to do something important which not many people could do."

Between disasters the company may be asked to assist coroners and police with identification in criminal cases. Mr Lewis also travels the world to help airlines and other transportation companies draw up contingency plans. He has no fear of flying. "But the job definitely makes you more aware of your own mortality."



Expert on the trail of tragedy: Philip Lewis, of Kenyon Emergency Services



"We advise airlines not to bring families out immediately"

information, something that a relative might suddenly remember.

A new light on Alzheimer's

Treatment of Alzheimer's disease takes a step forward next week with the opening of a new home in Camberwell, south London, specially designed for patients at an advanced stage of the illness.

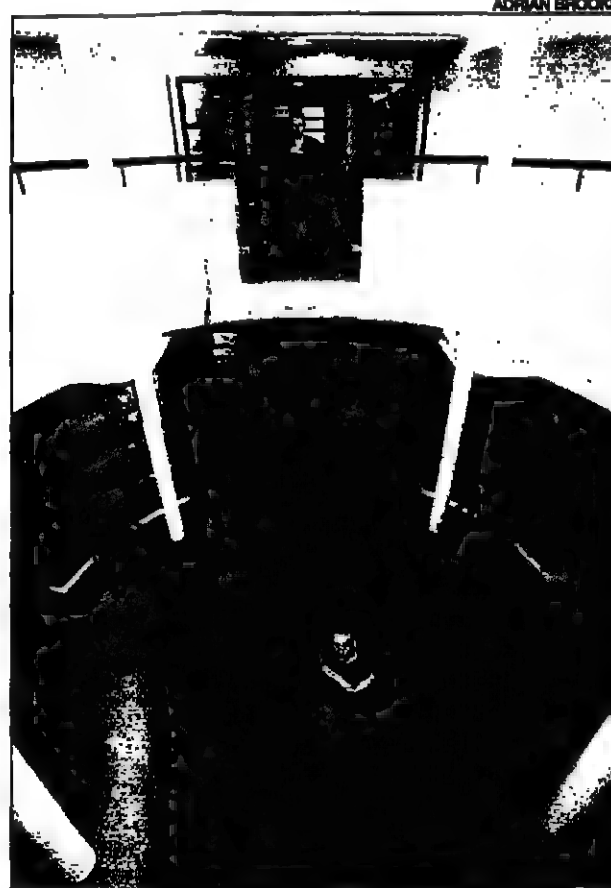
The architect is Michael Manser, a former president of the Royal Institute of British Architects, who attracted widespread interest from psychiatrists with the paper he delivered on buildings for the elderly.

"The worst thing you can do with people like this is to sit them in a ring in front of a television. They vegetate," Mr Manser says. "The best outlook would be over a busy shopping street or children's playground. The new building in Knights Hill has been designed in close consultation with doctors at Maudsley Hospital and is intended to minimise any institutional atmosphere and ensure that as much activity as possible takes place in the view of patients."

The building is designed on a cross plan around a rotunda. One arm houses the administration block and day patients' facilities. The other three are self-contained "houses", each for 12 patients, who all have their own rooms. "It is virtually unique in the NHS to have a home like this without dormitories," says John Stanbury, the new manager.

Every block has its own sitting and dining room looking out through glass screens into the rotunda, the route for all staff and visitors.

Mr Manser says light is one key to treatment. "Elderly people generally need more light," he says. Light floods in through a continuous ring of windows at the top of the rotunda, and the sitting and



Light and bright Mr Stanbury, centre, surveys the home

living rooms all have double-height glass walls looking out over the garden. The architect fumes, understandably, because the planning officer made him compress the design, with the result that wings partly obscure the views into the garden in a way he did not intend.

Mr Manser feels strongly about the need for privacy and thus dignity. "Independence must be the first target in the treatment of the elderly. There must be a private place to be with some of your possessions

people to move round there is maximum circulation space, with staircases leading up to the first-floor gallery."

To help patients to orientate themselves, the textures of floors, as well as light levels, vary from one building to another. There is a form of lino in the bedrooms, wood in the corridors and Burlington slate in the rotunda. All the garden walks are designed to bring patients back to where they started.

Mr Stanbury says the main complaint heard from staff is the lack of separate accommodation. He says: "Usually there is a sister's room where nurses can retreat. Here there is only a cubby-hole. There is one staff lavatory for both sexes, whereas it is traditional for the staff to have their own lavatories and even cutlery. I say to them if these facilities are not fit for your own use, they are not fit for the clients."

All this is part of Mr Manser's plan. "Recent thinking is that while on duty the staff should be among the patients all the time," he says. "Even if patients at the end of their disease are incapable of registering much, a well-proportioned building with generous windows and a stylish quality will improve the carers' morale and the quality of their care."

Mr Stanbury will have a staff of more than 70 to provide 365-day 24-hour care. The chief will cater for individual, not just group, needs. People will be moving into a hotel, with hospital services.

He knows he will have to be alert. "One of my first clients is a well-known hospital escapist," he says.

MARCUS BINNEY

Self help for arthritis

■ The Bristol Unit is investigating the long-term impact on the knee of common movements such as crouching and kneeling and is experimenting on a variety of kneecap supports to determine what device benefits patients most.

■ Sufferers of osteoarthritis of the knee should wear minners with good shock absorption, to reduce the load on the knee when the heel strikes the pavement. Professor Dieppe suggests. Insoles purchased from most sport shops will give the knee even more protection.

■ A simple exercise, done in bed twice a day, would help strengthen the thigh muscles which help to control stability of the knee joint and so reduce pain: straighten the leg and pull the toes towards you, push the knee down, then slowly lift the leg up, keeping the knee straight. Repeat up to 30 times.

■ Rheumatoid arthritis — inflammation which destroys the joint — is almost certainly caused by a breakdown of the body's defence system. Instead of attacking only bacteria and viruses, the T cells

in the immune system attack the body's own tissue in the joints. Researchers at Cambridge University, led by Dr John Isaacs, have developed a treatment, now under trial, designed to knock out the T cells by using monoclonal antibodies. The results have been promising, but it will be some time before such drugs are widely available.

■ Obesity increases the risk of arthritis in the knee joint by 5 per cent. Diets which are low in saturated fats may help to reduce the inflammation in joints. Polyunsaturated fatty acids (PUFAs) found in fish oil, sunflower oil or evening primrose oil can reduce the symptoms of rheumatoid arthritis in some patients and allow them to reduce their medication, although they may have to be eaten in large quantities.

■ Stress can be a trigger for the onset of rheumatoid arthritis, according to Professor Derrick Brewerton, a former consultant rheumatologist at the Westminster and Royal National Orthopaedic Hospital, who on Thursday publishes a layman's guide to the disease (*All about arthritis, past, present, future*, Harvard University Press, £15.95).

■ For a free booklet on arthritis, enclose a large SAE marked either Rheumatoid or Osteo to: The Arthritis and Rheumatism Council, P O Box 177, Chesterfield, Derbyshire, S41 7TQ.

HEATHER KIRBY

Nationwide's new rates for accounts no longer available to new investors.

From 1st December 1992

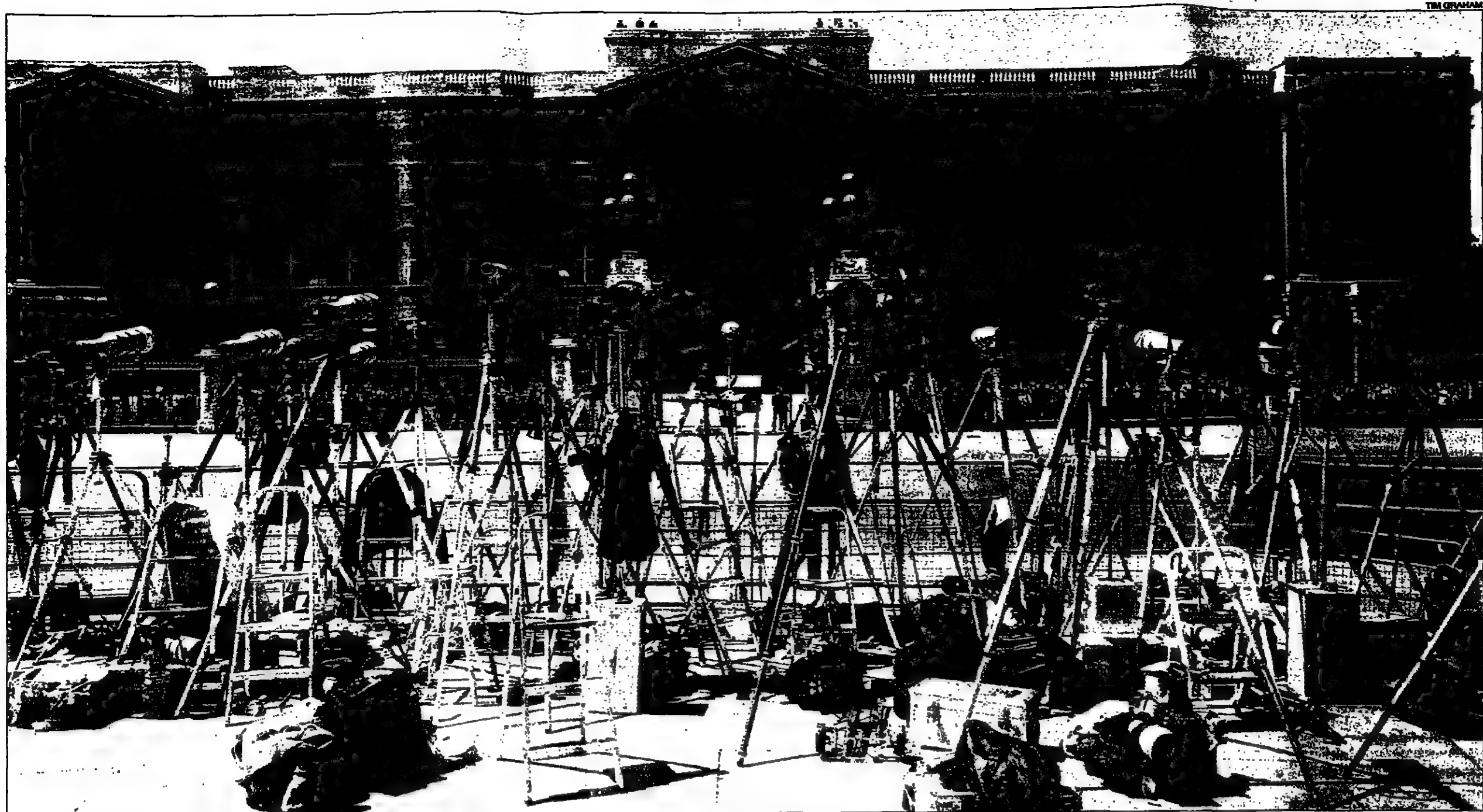
Former Nationwide Bond Accounts			
Account Name	Balance	Gross p.a.	Net p.a.
PrestigeBond	£1,000-£1,999	6.00%	4.50%
	£2,000-£2,999	6.50%	4.75%
	£3,000-£3,999	6.80%	4.95%
	£4,000-£4,999	7.00%	5.10%
	£50,000 and over	7.50%	5.25%
PrestigeBond Plus	£1,000-£1,999	6.20%	4.65%
	£2,000-£2,999	6.50%	4.80%
	£3,000-£3,999	6.80%	5.10%
	£4,000-£4,999	7.00%	5.25%
	£50,000 and over	7.50%	5.40%
ClassicBond	£1,000-£1,999	6.20%	4.65%
	£2,000-£2,999	6.50%	4.80%
	£3,000-£3,999	6.80%	5.10%
	£4,000-£4,999	7.00%	5.25%
	£50,000 and over	7.50%	5.40%
ClassicBond Plus	£1,000-£1,999	6.40%	4.80%
	£2,000-£2,999	6.70%	5.05%
	£3,000-£3,999	7.00%	5.30%
	£4,000-£4,999	7.20%	5.45%
	£50,000 and over	7.70%	5.70%
CapitalBond 92	£1,000-£1,999	6.10%	4.55%
	£2,000-£2,999	6.30%	4.70%
	£3,000-£3,999	6.50%	4.85%
	£4,000-£4,999	6.70%	5.00%
	£50,000 and over	7.20%	5.25%
Former Nationwide Anglia - Other Accounts			
Account Name	Balance	Gross p.a.	Net p.a.
CapitalBond	1st issue	5.50%	4.25%
	2nd issue	6.00%	4.50%
	3rd issue	6.50%	4.75%
Privilege Bond	1st issue	6.10%	4.55%
	2nd issue	6.30%	4.70%
	3rd issue	6.50%	4.85%
PlatinumBond	1st issue	7.70%	5.75%
	2nd issue	7.70%	5.75%
	3rd issue	7.70%	5.75%
Former Nationwide Anglia - Other Accounts (continued)			
Account Name	Balance	Gross p.a.	Net p.a.
CapitalBond 90	£1,000-£1,999	5.50%	4.25%
	£2,000-£2,999	5.80%	4.50%
	£3,000-£3,999	6.10%	4.75%
TaxFree Option	£1,000-£1,999	5.50%	4.25%
	£2,000-£2,999	5.80%	4.50%
	£3,000-£3,999	6.10%	4.75%
TaxFree Option 90 Day	£1,000-£1,999	5.50%	4.25%
	£2,000-£2,999	5.80%	4.50%
	£3,000-£3,999	6.10%	4.75%
TaxFree Option 180 Day	£1,000-£1,999	5.50%	4.25%
	£2,000-£2,999	5.80%	4.50%
	£3,000-£3,999	6.10%	4.75%
IncomeBond Monthly	£1,000-£1,999	5.50%	4.25%
	£2,000-£2,999	5.80%	4.50%
	£3,000-£3,999	6.10%	4.75%
TESSA Bond	£1,000-£1,999	5.50%	4.25%
	£2,000-£2,999	5.80%	4.50%
	£3,000-£3,999	6.10%	4.75%
TESSA Flexible Savings Plan	£1,000-£1,999	5.50%	4.25%
	£2,000-£2,999	5.80%	4.50%
	£3,000-£3,999	6.10%	4.75%
Former Nationwide Building Society Accounts			
Account Name	Balance	Gross p.a.	Net p.a.
Capital 30	£500 and over	5.70%	4.25%
	£1,000-£1,999	5.80%	4.35%
	£2,000 and over	5.90%	4.45%
Capital 90	£500 and over	5.70%	4.25%
	£1,000-£1,999	5.80%	4.35%
	£2,000 and over	5.90%	4.45%
Capital Plus	£500 and over	5.70%	4.25%
	£1,000-£1,999	5.80%	4.35%
	£2,000 and over	5.90%	4.45%
Monthly Savings	£1,000 p.m. (or £600 p.m.)	1.00%	0.75%
	£1 and over	2.00%	1.50%
	£1 and over	1.80%	0.75%
TopSaver	£1 and over	2.00%	1.50%
	£1 and over	1.80%	0.75%
	£1 and over	1.80%	0.75%
Former Nationwide Building Society Accounts (continued)			
Account Name	Balance	Gross p.a.	Net p.a.
Bonus 7	£100 and over	2.10%	1.55%
	£200 and over	2.25%	1.70%
	£300 and over	2.40%	1.85%
Double Bonus	£500 and over	3.00%	2.25%
	£1,000-£1,999	3.50%	2.55%
	£2,000-£2,999	4.00%	2.85%
Bonus 90	£500 and over	3.00%	2.25%
	£1,000-£1,999	3.50%	2.55%
	£2,000-£2,999	4.00%	2.85%
FlexAccount	£1,000-£1,999	1.00%	0.75%
	£2,000-£2,999	1.20%	0.90%
	£3,000-£3,999	1.40%	1.05%
FlexAccount Cashlink	£1,000-£1,999	1.00%	0.75%
	£2,000-£2,999	1.20%	0.90%
	£3,000-£3,999	1.40%	1.05%
Subscription Share	£1,000-£1,999	2.20%	1.70%
	£2,000-£2,999	2.40%	1.90%
	£3,000-£3,999	2.60%	2.10%

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Nationwide
The Nation's Building Society

Ad 11/12/92

The palace, the press and the people. Part one: the way things were



The press has a thousand eyes: cameras are focused on Buckingham Palace ready for the start of a royal occasion — but behind the acceptable public scrutiny there is a "daily mix of sexual innuendo, hypocrisy and lies" doing a huge disservice to society

From the gutter to the sewer and back

I have, in my study in Scotland, a cartoon from *Tatler* magazine, dated 1908, which shows a crowned and robed figure rushing towards a building that looks remarkably like Buckingham Palace. He is surrounded by drawings of a multitude of vintage box cameras. The caption, which slightly misquotes Tennyson, reads "Fierce is that light that beats around the throne". I have always meant to, but never did, find out what particular incident this referred to, but one needs only a passing knowledge of 19th century history, let alone a study of the republican press in the last decades of the 18th century, to see that detrimental media coverage of the royal family, their doings and undoings, is nothing new, and the goings on of various Princes of Wales in this century, right down to and including the events leading to the abdication, have been all too well reventilated recently.

In the five years and seven months since I left Buckingham Palace I have not gone into print nor spoken publicly about my time there, since, despite many offers, I felt that it was my duty, if not obligation, to leave the past to itself. After almost ten turbulent years of dealing with Palace-press relations, the last thing I wanted to do was to declaim or write about them. But in that period, there have been many occasions where I felt so infuriated by reporting of royal events that I could well have burst into print or rushed round to the television studios to make my protest.

What has made me change now? Simply, it is that the whole perception of the royal family has dramatically altered over the summer, added to by the events of last week. In particular the aftermath of the great fire of Windsor, the Queen's remarkably candid speech at the Guildhall and the announcement by the prime minister that the Queen is to pay tax and to reimburse the Treasury for much of the costs of certain members of the royal family. I felt that some reflections from a former member of Her Majesty's Household, coupled with a contribution to the debate about the role of the press in the future of this country, might be useful. I write on a personal basis but also with the additional experience of dealing with media matters both for the government and in the private sector.

This is something I will do seldom because I have little time or respect for most of the instant popular commentators on royal matters. I should say that, while my views of the tabloid press are certainly not high, there are a number of journalists working on them whose knowledge of what goes on is a lot better than some of these so-called royal experts.

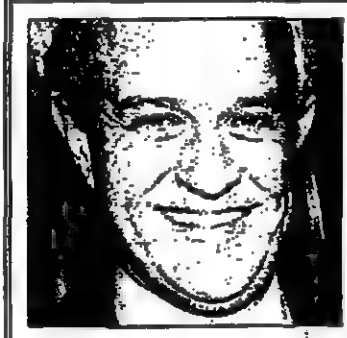
I intend in the three parts of this article to reflect over past experience in various settings, to comment, as an informed outsider, on what has taken place over the years since I left the Palace, and to look to where we go from here. It will be set in the context of the media's interpretation of royal events. This is because I believe, unlike some in writing from the basis of some knowledge and experience but, more importantly, because we live in a media

democracy where the debate, not just about the royal family but about almost everything that takes place in public life, is carried on with much more effect, determination, and at times irresponsibility, than it is in Parliament.

The press are, after all, like the priests of yore: they have the pulpits from which to proclaim gods and devils. Editors and journalists select their victim kings, gaudier them, fete them and put them upon their pedestals. Then, after a brief day of glory, they ritually slaughter them. We see continuous examples of pop stars, soccer heroes, junior ministers, Chancellors, almost anyone in public life, built up, praised until they start slipping, and then with glee, the press rush to put the boot in. The late Ian Macdonald once said, "there's no better time to kick a politician than when he's down". This seems to be the popular sport surrounding those who dare to seek prominence in any walk of life in Britain today.

When I am asked whether the press interest in the royal family last year has been something exceptional in the post second world war period, my answer has been a qualified yes, given that it has also grown naturally with the growth of mass communication.

But there have been other exceptional periods, for example, the huge amount of speculation over the future prospects of the Princesses Elizabeth and Margaret just after the war, and the intense interest that surrounded the romantic prospects of the Prince of Wales prior to his engagement to Lady Diana Spencer. One of the very few times I issued a denial in my decade at Buckingham Palace related to a banner headline in the *Daily Express* that proclaimed that the Prince of Wales was about to get engaged, to Princess Marie-Astrid of Luxembourg. I checked out this story before issuing a statement to the effect that, not only was this untrue, but the Prince had hardly ever met Princess Marie-Astrid. True to its unrepentant style, the



Michael Shea (left) has never commented publicly about his nine years as the Queen's press secretary. Recent events have persuaded him that he should break his silence, in a three-part analysis for *The Times*

only thing that changed in the later editions of the *Daily Express* was that a question mark was put at the end of its headline, and the front page leader began with "Despite Buckingham Palace's denials, rumours continue to abound that..." etc.

When I arrived at Buckingham Palace fresh from a diplomatic posting in New York, I found a wise Queen, a hard working royal family, a dedicated and remarkably efficient Household where the only slight, and in no real way personalised differences in strategy, were over the degree to which there should be more or less "openness" about the behind the scenes workings of the official system. Should we keep the veil tightly drawn, or should there be more daylight shed on the mysterious ways of the monarchy? I felt, at that time that we got the balance about right despite the constant media demands for interviews and access.

However, time for reflection on such matters of strategy was curtailed by having to react to each day's demands. There were ones of relative calm and ones of, in retrospect, ridiculous storm. These were, as I remember it, constant frustrations over the ludicrous stories that appeared in the tabloids, particularly on a Monday. Harry Arnold, then of *The Sun*, and James Whitaker, then of the *Daily Mirror*, would vie with each other in their pubescent days as royal watchers, to write about the most

trivial happenings, either real or imagined, to do with any and every member of the royal family, with the almost universal exception of the Queen. I imagine that even they look back at some of their stories from that time, and if they have it in them, blush. These were the days when it was said that a banner headline on the front page of *The Sun* might best read "Find a fact inside and win a million". Coverage, though even more trivial, was often just as intense over my period. When I was asked whether we took press cuttings at the Palace, I explained that on most days, there would be nothing left of the papers were I to arrange to have this done. I can remember telling Harry Evans this when he was Editor of this newspaper.

He responded that this was, of course, just the tabloids. Having done my brief research I was able to tell him (this must have been around about 1981) that, not counting the court page, there were 13 separate items about members of the royal family in that morning's *Times*. *The Guardian*, *Financial Times* and later when it came into being, *The Independent*, were then more frugal in their views of goings on around the throne.

The one most pressing and appalling problem during my entire time at the Palace was the gross intrusion and invasion of privacy by photographers. The British press tended to play innocent, to brand them as paparazzi, largely

working for foreign publications. But their picture editors and I both knew that this was not the case. Even though many of them were freelance, what was the difference between a freelance and a full-time photographer when the freelancers were being paid handsome daily retainers by some in Fleet Street papers to have first option on what they shoot?

The Princess of Wales in particular, and later her children being taken by nannies through London parks, were harassed and followed everywhere they went. On one extra-notorious occasion the pregnant Princess of Wales was photographed wearing a bikini. Apologies were demanded from the newspaper in question. It apologised the next day, but reprinted the photograph with the subheading that these were the photographs they were apologising for printing.

What did we do about it? I wrote to all editors. I made appeals on a one to one basis. I talked to the Press Council. We got nowhere. I had two fairly widely reported meetings with almost all the editors of the day, with the exception of two who worked for the same proprietor who told me that they had more important things to do. At that meeting, it was agreed that the press would lay off, especially the Princess of Wales.

For a while after this meeting

and the subsequent one that took place with the same two editors, Kelvin MacKenzie and Andrew Neil, missing, a lot of the photographic harassment abated. But as this was also an age in which the *Daily Mirror* and *The Sun* were chasing each other from the gutter to the sewer and back again in search of ever greater circulation figures, with the *Daily Star* whimpering along in the background, the stand-off period was short-lived.

I did not join those who at that stage blamed the press for everything. No more do I do so now. I am confident that our handling of these matters could have been better done. But our aim in the Palace press office was — and still, I believe, is — to give every possible help to all branches of the media when they cover official royal events and engagements.

I fully understood the frustrations of the press over their access to certain information which they, but not we, believed should be available. There has always, and will always be, a gap between what the media want to know about the royal family, in particular about their private lives, and what the Palace is prepared to make known.

The pressures were, of course, not always so intense and there were periods of relative quiet. I am amazed when I recall that there were even requests to me at various times to see if I could not increase the media profile and coverage of some royal events. Certain moves were made which I believe were enormously helpful, such as the decision to allow the televising of state banquets to show to a wider public some of the ceremonial behind the great affairs of state.

In all this, thinking back, I tended mentally to divide the media into four distinct groups in terms of their behaviour and accuracy of coverage. At the top were the provincial and regional press, who, by and large, give balanced and dispassionate coverage when a member of the royal family comes to their areas. But that is in the

nature of the provincial press who have to live much more closely with their readers and therefore have imposed upon them a higher degree of responsibility for getting their facts right.

Seriously come radio. There is something about radio which, uncluttered by negative or positive temptations to make the visual content sufficiently enticing, tends to have to make sure that it, too, gets its facts right and its opinions balanced. Television and the broadsheet came third. Both of those covered royal events in waves of fashion over the period; at times they reported in depth and believed that it was part of their duty to send correspondents on visits or tours and have television, both independent and the BBC, not only cover tours, but then to edit the material into one of the specials which were given prime-time slots on Sunday afternoons or evenings. At other times they, rather grandly, ignored royal matters entirely.

Last on my list — a way down — came the tabloids. The purpose of this article is not to condemn the tabloids any more than they do themselves. At their best they can be funny, they can be bright, they can, presumably, be entertaining to those who are entertained by them. At worst, they are a cancer in the soft underbelly of the nation, doing a huge disservice to our society in terms of the damage they do to individuals, to institutions, to the body politic, to ordinary people, with their daily mix of sexual innuendo, hypocrisy and lies.

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In part two of his series, Michael Shea considers current press treatment of the royal family and deplores the arrant intrusion into privacy

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JERSEY EUROPEAN

Jersey European



Lynne Truss

Imagine an Advent calendar designed especially for the apocalyptic Nineties

I bought myself an Advent calendar the other day. I thought it might fit under the heading of "nurture the child within thyself"; also, I really fancied one. "Little Tommy will love this, ha ha," I chuckled to the assistant (who was not remotely interested in my transparent bluff). "Just wait till tiny wee Jimmie sees it! Tcha, what a treat for small Sam," and then I dashed off to take refuge in the muck and anonymity of the street outside. In my haste, however, I left the calendar on the counter; which is why the first of December finds me rather glum, with no little paper window to prise open, and no loosely-glued glitter to spill accidentally on the cat.

But perhaps it is for the best. Advent calendars — even the scrappy, limp specimens of years ago, on which the perforations tore, and the revealed picture of the rocking horse was rarely in proper alignment with the window — are posited on anticipation, deferred gratification and hope, and unfortunately these three items of mental furniture are as scarce today as a tin bath or a radiogram. In the past I have often fondly supposed, that the Advent calendar might be adapted for other great national countdowns (the run-up to the Booker prize; the week before a general election) but this is to forget that most people are not as excited as me. For the majority, I fear, there would be no perceptible thrill in opening little windows to reveal blurry archive pics of Selma Scott or the returning officer for Billericay.

But in any case (and this is the point), only a moron looks forward to things in today's world. Hope has no currency, and the only countdown operating in our lives is the obvious one for people living in an era called the 1990s — it is the daily sense that humanity is being dragged tick-tock ever nearer to the verge of cataclysm by its own stupidity and cruelty. Don't you feel it? The dread? If not, what's wrong with you? Stormy dark horsemen with scythes-a-glance may be an optional extra in this apocalyptic picture, but honestly, isn't it all over, bar the shouting? Years ago, you would see funny cartoons of bearded blokes with placards saying: "The end of the world is nigh". But not anymore. Don't you think it is significant that they have disappeared?

So, "I suppose we'd better see what's behind the window today," says plucky Mrs Zeitgeist, reaching down her Millennium Advent Calendar, to check the latest seed of destruction. "Yesterday we had Croats dying in concentration camps, do you remember? And before that, rampant Aids in the Third World. Now," — she picks at the corner of the little window, and carefully peels it back — "oh look, it's not so bad, just a new crime where women are hijacked in their cars. Hmm. Quite a good picture. See the woman being raped and killed, children? See the woman with her clothes caught in the door dragged for miles behind her speeding car? Well I think that's enough excitement for one day."

The joke is that people grow ever more cynical, in the mistaken belief that cynicism is a protection. Thus, every time you are shocked to read about innocence exploited or public trust abused, an exasperated voice in your head, shouts, "look, surely you've got the hang of this by now? Expect the worse and you won't be disappointed." How sad, though, that there is no room for nice surprises in these Advent calendars of ours. I mean, imagine if Mr Lamont's famous vintner expedition had turned out to be a charitable purchase on behalf of a dying constituent — a bottle of eggnog, or something. Nobody would believe it. "And the rest." The country would sneer, with a single voice. But cynicism is moral death, and the battle against it is virtually the only one still worth fighting. I shudder now to remember how readily I embraced the cynic's twin notions of how the world works: conspiracy and cock up. I only did it because it sounded smart, but now the wind has changed and I am stuck with it. "The road to hell," I faintly remember hearing somebody say, "is paved with good intentions." Oh yes? says I. "And the rest."

The campaign to tax the Queen is based on monstrous exaggeration of her wealth, says Woodrow Wyatt

Lies and a royal vendetta

We are in George Orwell's 1984 where "Big Brother is watching you". Big Brother today being an amalgam of those with power over large sections of the press and broadcasting, who manipulate opinion through their "Thought Police", then claim this represents the spontaneous feelings of the public. This is the antithesis of a free press and democracy. Since early 1991 the Queen has been harried by the demand to pay income tax.

The launching platform was an article in *Harpers & Queen* billing the Queen as the richest woman in the world with a personal £6.6 billion pounds, or "just over £1.8 million a day". The *Sunday Times*, after giving much prominence to these supposed fabulous riches, more cautiously wrote editorially on February 10, 1991 that the £1.8 million a day was "probably wrong" but her "very great" wealth must nevertheless be taxed. The *Daily Mail* had no reservations. Its editorial on February 15, 1991 referred to "the fact that the Queen does not pay tax on her income of £1.8 million a day" as though this were established truth.

The campaign, more a vendetta, was gleefully adopted by

the tabloids and others. The "Thought Police", having swamped the public with the daily £1.8 million lie, easily won large opinion poll majorities in favour of the Queen paying tax. A carefully researched article in *The Economist* on January 25, 1992 estimated the Queen's private investments at now under £50 million after digging deep into her capital to help other Royals. "Her private income is perhaps between £1 million and £5 million a year. If she paid income tax the yield to the Treasury would be about £2 million at most." But "Big Brother", unconcerned with facts, gratifies an overweening power lust while defiantly convinced that Britain is in terminal decline and must, along with the Queen, embrace a reduced status.

The Windsor Castle fire was a gift. It fuelled the cry that the Queen should pay for the repairs. As usual, facts did not intrude on the opinions of the most inaccurate media in the world. James Wyatt (my x-multipled great uncle) made

elegant alterations at Windsor for George III. His nephew, Sir Jeffrey Wyatt (later renamed Wyatville at George IV's insistence) worked closely with his sovereign in the huge 1824-30 reconstruction creating, *inter alia*, the staggering skyline. The private apartments, opening into a wide corridor in the style of Jeffrey Wyatt's Chatsworth remodelling, were barely touched. The damage was where visiting heads of state and other foreign notables are received and entertained. Jeffrey Wyatt's St George's Hall, Grand Reception Room, Green and Crimson Drawing Rooms, making a fine Regency set, not fatally hit by fire, can and should be fully restored. However, the dull private chapel where the fire began is a candidate for a modern imaginative design.

Despite the media lies that Windsor is the Queen's personal property, it would be absurd to ask the Queen to pay for the repairs of state rooms. George III began the practice of letting all who wished make through nearly all Windsor

Castle where you can see far more than in the Houses of Parliament. The money earned from overseas tourists is incalculable. They come because it is not a dead museum but somewhere the Queen lives. But also, republicans and false friends protesting that the Queen must change with the times as they miserably see them, gloatingly tell us they have won the income tax battle. The Queen's enemies already ravenously enquire what she will pay tax on and if not why not, and their clamour, accompanied by the customary lies, will not cease.

Insulting suggestions are made as to items she should sell to meet her tax liabilities. Undoubtedly there will be leaks of her income tax returns now that, as shown in the *Sunday Times* last weekend, full details of everyone's financial affairs, tax returns, the lot, can be rapidly obtained for £300. Nor can those Royals no longer on the Civil List expect to be unmolested. Today the verbal press and media will persecute

by lies and innuendos any victim they choose. Witness the monstrous hunt of Mr Lamont, landed plentifully by lies, to hound him out of office at "Big Brother's" behest.

If the controllers by bogus information of public opinion succeed in determining who should be members of the Cabinet, and in which office, democracy will be stood on its head. It has been in the case of the Queen's tax, which is a bad decision. The right solution would have been to return the Queen's Crown Estates to her. Currently they make a net profit of around £72 million a year. If they were given back, and she paid income tax at top rate, the Queen would have left at least £43.2 million a year. She would still not be as rich as the Queen of Holland but she would be able to contribute more for the upkeep of her sovereignty. At present the tiny, now-to-be-cut Civil List she gets in return amounts to a virtual confiscation of her property which is run by the Crown Commissioners in her name.

Royals no longer on the Civil List could be forgiven if they refuse to make further public appearances at functions for which they are deluged with invitations to grace. Royal ladies are expected to be beautifully turned out, but who is to pay the expense of this? True, if some had behaved with more discretion, the pressure on the Queen to pay income tax might have been much less. However, it cannot be said that their marital troubles do not reflect what occurs in the population at large.

The Queen has been and is superb. With utmost dedication she works unremittingly to further the country's good. We owe her much. The world envies us our monarchy; many here are foolishly near to directing envy at it. I hear normally intelligent people saying it is an anachronism which should be replaced by a republic. Foreigners would think we had gone mad and they would be right.

The monarchy is the living symbol which makes us proud of our past and encourages us to look forward with confidence to the future. God Save the Queen is redolent of meaning. God Save the decaying politician elected as President would have none.

Private probity, public office

If ministers use public funds to defend themselves they are in danger of abusing the privilege of power, argues Janet Daley

To what exactly did the Treasury see itself as contributing, when it handed over £4,000 to Norman Lamont? The official explanation is credible enough — indeed seamless in the way that statements from such Whitehall sources tend to be — and yet somehow it is less than illuminating. In the bland prose of civil service apologia, the elucidation goes like this: a contribution from the government was made to help defray expenses incurred by Mr Lamont in embarrassing circumstances because, as a holder of government office, a threat to his reputation might "bear on his performance" of public duties.

Presumably, if Mr Lamont had been a purely private person he might well have found himself with an unsavoury tenant on his property. But since the presence of such a tenant would only have been likely to give rise to a certain amount of local ribaldry among Mr Lamont's colleagues and friends, there would have been no urgent need either to remove said tenant from his premises or to counter press speculation about her activities there.

Thus it was deemed in the public interest for legal action to be taken to relieve Mr Lamont of the pressures which were likely to distract him from his responsibilities. Alongside this account of how financial help to the Chancellor could be seen to be for the nation's good, another argument offered by the Treasury was that it is inequitable for a man in public office to have to foot the entire bill for troubles which would not have befallen him had he not been a holder of such office.

In other words, it is legitimate for government to help meet the costs to ministers of extremely expensive legal advice if and when they find themselves in circumstances which would not be discomfiting were they not in government. (Readers must bear with me. Some tortuous syntax is unavoidable here in conveying the circularity of this reasoning.)

But if being in office makes the having of such embarrassments, and whatever mistakes of judgment or failings of character led to them, a subject

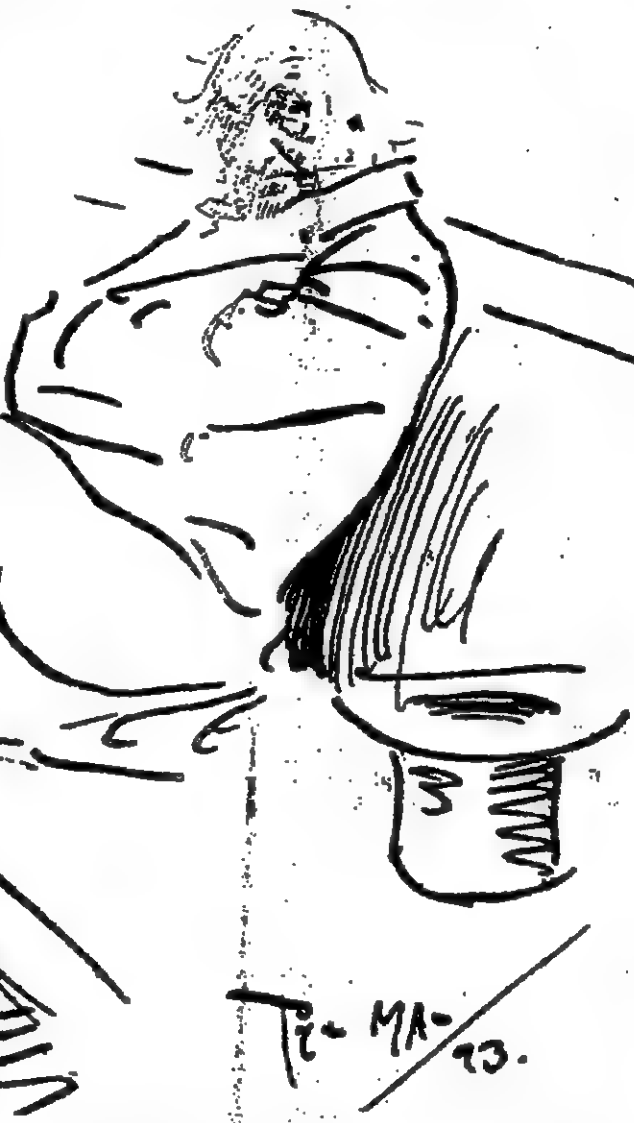
of serious speculation, then why should the suppression of such speculation — which was the purpose of hiring legal advice — be paid for by the electorate who are doing the speculating? This is rather like suggesting that someone who is under suspicion of mismanaging company funds should be entitled to company funding to help him remove the evidence of mismanagement.

Let me put it another way. Government ministers are not press-ganged into their positions. Indeed, they devote lifetimes of effort to achieving them and are, therefore, likely to know what they are letting themselves in for by occupying public office. That is, they do not willy-nilly, through no fault of their own, suddenly find them-

selves in a position where every aspect of their lives is open to press scrutiny and potential embarrassment for which wholly unexpected disadvantage they should be entitled to compensation.

Being in government is at least something of a privilege which leaves one open to constant examination in terms of one's fitness for office. If challenges to that fitness may be defended with funds which are attached to the office, then do we not have a system which arms the powerful with the resources of precisely that station for which their fitness is being questioned? Do they not, in effect, have it all ways?

Where do the interests of the



The upright Chancellor: Gladstone invented the role and set the highest standards for his successors to live up to

public office and those of the private man begin? For that matter does an "office" have interests? If government itself is a kind of self-protective fortress, with automatic mechanisms for countering any attack like the master computer HAL in the film, *2001* then are not the particular politicians who inhabit it bound to benefit in an unwholesome way? This is not corruption in any "ordinary" sense which involves bribery or personal favour but a generalised tendency to favour whoever is in power at the moment: an inbuilt bias in favour of the status quo.

Britain, having no written constitution, has its institutions and political traditions formed by accretion. The advantage of this — that it is not tied to some

antique document which is cumbersome to change — has its price. What actually goes on and why, becomes very much harder to delineate and examine and there is no higher authority than precedent. If things have been done this way before, then it must be acceptable to carry on doing them this way.

Some principles become enshrined in the system through a kind of informal historical consensus. Since Gladstone, who invented the modern office of Chancellor, was a man of renowned probity and honour, that office has come to be associated with spotless character in a singular way. This special mythology of chancellorship may indeed go some way to justifying the Treasury's argu-

ment that holders of that office are subjected to unusual pressures from which taxpayers' money may be required to extricate them. But there is another principle established, if not by a constitution then certainly by statute, which guarantees that civil servants shall be disinterested in the fate of their political masters. Surely, this practice (if it is an accepted practice) of offering cash help to ministers "under pressure" from public embarrassment must risk compromising the independence of the civil service.

I am not intending to impugn Mr Lamont's particular actions, or the specific decision of Sir Peter Middleton, the former permanent secretary to the Treasury, to offer the Chancellor help from the taxpayer in his awkward dilemma. What I am suggesting is that, as things appear to stand, when a politician's competence is called into question by public controversy, he is entitled to use the very power and resources of his position to help snuff out that controversy.

When the Treasury made its contribution to the Chancellor's fighting fund, it might have seen itself as protecting any or all of the following: the office of the Chancellor from disrepute; the electorate from any dire consequences which could have resulted from the strain on Mr Lamont, or Mr Lamont himself from professional débacle. Disentangling these three things, under the rather woolly arrangements which exist, is a difficult matter. But as we move toward a more open and accountable public life, it will be a matter of urgency that we do so.

If the unpicking of them proves impossible, then we shall find ourselves with a problem that goes far beyond any momentary predicaments of ministers or particular governments. For behind the tabloid titillate, there is real public disquiet about complacent, self-perpetuating power. The British electorate has discovered the joys of peeling away layers of mystery and self-justification to find what really lies beneath. Anything that smacks of possible collusion between one wing of the establishment and another is in for a rough ride.

Backroom Tories see red

HELL hath no fury like a Conservative who has just stumped up for the chancellor's legal fees. While Central Office is adamant that none of the money used to pay Norman Lamont's legal expenses has come from constituency association funds, employees at Smith Square are fuming that £18,000 of Tory party money, whatever its source, should be used in such a way when a squeeze of Dickensian proportions has just been imposed on the party machine.

The news of the payment could not have come at a worse time. The Tory faithful have just learnt that the party's 12 regional offices may be axed because of lack of money. Only the party headquarters in Scotland seems certain to be saved. Offices in Wales, the Midlands, and Yorkshire may be shut down or merged in the new year as the result of a review commissioned by Sir Norman Fowler.

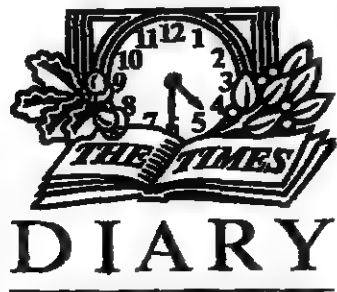
At Conservative Central Office in London, where staff have already been laid off, there was barely concealed fury that the party could produce £18,000 out of a hat for the chancellor when times are so hard that the office copy of the *Daily Sport* has been cancelled. One employee said: "We are dis-

gusted that they can find money to pay the most expensive lawyer in the land when most of us don't even know if we will be in a job in a few months' time."

Such is the state of the party's finances that some Conservative associations have fallen behind with their payments to the party's in-house firm of administrative suppliers in Reading. Any association which has not settled up within three months has to receive approval from Central Office in London before it is allowed to make a fresh order.

John Carlisle, the only Tory MP to demand the chancellor's resignation, says: "It is difficult enough raising money now for the party because of the recession. This will make it worse. Whether the money came from benefactors or not, that money could have been better spent in marginal constituencies. Next time we hold a fundraising event there will no doubt be people asking for which minister's solicitor's fees are we raising the money?"

For a man with a £2470 credit card overdraft and a sizeable credibility gap, Norman Lamont is remarkably cheerful. At a confer-



ence at Conservative Central Office on Saturday Lamont was challenged about high interest rates levied by the banks on small businesses. Pausing briefly, the chancellor replied: "Yes. And they have them on Access cards too."

Out of pocket

THOSE wanting further evidence of Norman Lamont's mortality need look no further than a Thresher's receipt episode. Thresher's employees were dispatched to sift through hundreds of slips of paper in an attempt to prove that the chancellor's tastes extended to claret rather than cheap champagne, but the scrap of paper cluded them. It was not found until the chancellor slipped on his sports jacket at Dorneywood on Sunday. In one of the pockets was the cause of all the fuss. Why was it not found

before? The chancellor wears that jacket only at the weekend.

Force fed

GOOD news for turkeys. Lord Weatherill, the former Speaker, is about to celebrate his 60th anniversary. Now enjoying retirement from politics, but hard at work in the family tailoring firm, the newly elevated peer recalls his struggle to remain vegetarian in an age of carnivores.

"I have never liked meat and would not eat it as a boy. My father could not understand my aversion and used to take the strap to me. At meal times at prep school I was forced to sit next to the headmaster with the same piece of meat in my mouth day after day in an attempt to make me eat it," says Weatherill in *Health Guardian* magazine. Weatherill, who never had any problem making himself understood in the Commons, suffered a terrible stammer as a result of the pressure, and was sent to numerous psychiatrists. One of sound common sense concluded: "If the boy doesn't like meat, why make him eat it?" Weatherill has not touched it since.

Crumbst

WITH hordes of Euro-fanatics about to descend vampire-like on



Feminists were out in force at the British launch of *Ms* magazine last week. Barbara Follett, left, told guests, including editor in chief Robin Morgan, centre, and founding editor Gloria Steinem, right, of her struggles with her bank. After months of tying, she had her bank cards changed from "Mrs" to "Ms". Then they were stolen. The bank has just reassured them in the name of Mrs Follett. "It's not that I mind being married," says Follett, who ran image projection courses for Labour candidates before the general election. "I just object to being defined by whether I am married. I don't think my bank manager understands that."

The Scottish capital for this month's summit, it is perhaps fitting that Edinburgh is to get a new saint. The Venerable Margaret Sinclair, a former trade union activist and worker on the McVie's biscuit factory floor, is expected to be canonised shortly.

Born in 1900, Sinclair died in 1925 and has been "venerable" since 1978. This month, however, came the first indication that a canonisation was assured. The Rt Rev Keith O'Brien, archbishop of St Andrews and Edinburgh, visiting the Vatican this month, was

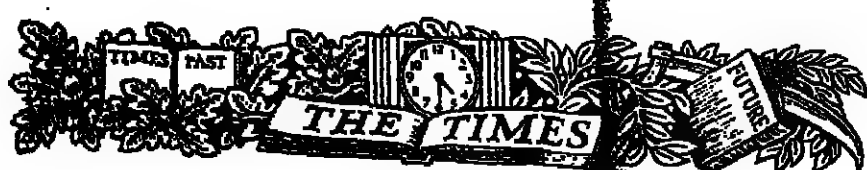
told by Pope John Paul II that a miracle would secure it.

Father Stephen McGrath, the vice-postulator for Sinclair's canonisation says: "She was an ordinary girl. Unusually ordinary, but extraordinary because of that." A daily communicant from the age of seven, Sinclair became an apprentice French polisher at 14 and an active member of the woodworkers' trade union.

Later she worked at McVie's, which, says McGrath, was reluctant to let her leave to become a nun. McGrath says the Pope is "very keen". Having canonised 260 of the 700 saints created since the 10th century, John Paul II has been criticised by some critics for being something of a one-man saint factory.

Another miracle... that takes the biscuit





SHOOT TO FEED

If only force will save Somali lives, force should be used

The United Nations is contemplating the invasion of a member state. That, brusquely summarised, is the mandate America has asked the UN security council to consider for a new UN force in Somalia, to which President Bush is prepared to contribute up to 30,000 troops.

For the first time in the UN's history, the UN troops would be empowered to fire not just in self-defence, but to fight their way through any armed attempt to ambush or otherwise obstruct the distribution of humanitarian aid. Such a policy, described by one American official as "shoot to feed", would be a radical departure in international law. But for humanity's sake, governments must set aside their fears of setting precedents for external intervention. So desperate is Somalia's plight.

Radicalism must be married to careful planning: this operation must be speedily mounted and, for the first time, on an adequate scale. Respected agencies such as Save the Children, whose work in Somalia puts to shame the UN's tardy and inadequate response to date, oppose military intervention. Even in the absence of a government or working political structure, they believe it better to work alongside Somali elders, and fear that their staff and food stocks will be attacked once the UN plan is announced.

Yet the brutal fact is that persuasion has failed, and at intolerable cost. More than 300,000 Somalis have died of starvation, and a quarter of a million more could be dead by the new year, women and children first. Nearly a million Somalis have fled the country. Two million, a third of those who are left, are seriously at risk of dying: shot by armed gunmen, or perishing for lack of food that the world is able and willing to provide.

Attempts by UN and private aid agencies to co-operate with the "authorities" have meant, in practice, begging warlords for permission to save their countrymen from starving. Their word is worth nothing. UN

grain shipments were halted last week, after a ship with "permission" to unload was shelled last week, entering the harbour of the capital. But even that is not the heart of the problem. Once food is in the country, local gunmen extract money to protect convoys, and top up their earnings from this protection racket by looting the goods they have promised to protect. The UN secretary-general, Boutros Boutros Ghali, admits that four-fifths of food and medicines reaching Somalia never reach the starving.

A political settlement in Somalia is remote, but the fighting can be stopped without one. The UN military contingent deployed there now is impotent: the grim joke is that 30,000 men need gunmen to protect it. Yet, however dangerous to civilian relief workers, the armed gangs in Somalia are now, and would be no match for a large, well-armed UN force. UN troops can and should guard airstrips and ports, food convoys and distribution centres, with or without the warring consent, and disarm freelance gunmen.

For lasting peace, the UN may have to contemplate punishing Somalia under temporary trusteeship, as its record of early neglect has been compounded by strategic error. Last April, Boutros Ghali sent Mohamed Sahnoun, brilliant, knowledgeable and courageous, to Somalia, only to force him to resign in October for criticising the "lousy" performance of most UN agencies.

M. Sahnoun, an Algerian, is widely regarded as the only man with the diplomatic finesse and understanding of Somalia's extremely complex tribal allegiances to bring about national reconciliation. The British government, with his presence as "indispensable", the UN's hypersensitivity to criticism remains its greatest flaw. The UN secretary-general should not only take up America's offer to provide determination to close a miserable chapter for the UN, he should return M. Sahnoun to the field.

SCIENCE'S BIG BANG

The nuclear jubilee looks back in relief and on hope

Fifty years ago tomorrow a telegram was sent from a squash court in Chicago to the White House. Its cryptic message ran: "The Italian navigator has entered the New World." With benefit of hindsight we can see that not all the natives were friendly, for the navigator was Enrico Fermi and the world he had entered was that of nuclear fission.

On December 2, 1942, Fermi's team succeeded in setting in motion the first self-sustaining nuclear fission reaction. For all those involved, it was apparent that this was no ordinary experiment. If successful, it would provide an alternative route to nuclear weapons, in some ways simpler than the enrichment of uranium. Of lesser importance at the time was the prospect of using the control of nuclear fission, pioneered in that squash court under the grandstand of Stagg Field, for the production of electricity.

In the event, nature behaved as the scientists expected. The chamber of the automatic counters rose as the last control rod was pulled out. Nobody spoke while Fermi studied the instruments and checked to make sure the growth in neutron flux was exponential, indicating the establishment of a chain reaction. Finally, after an agonising delay, he said "Zip in". A control rod was dropped back into the pile. Immediately the reaction subsided and the celebrations began.

Never has science given birth to a more prodigious infant. The history of the past half-century would have been very different without the atom bomb, which imposed its own moratorium on world war. Opposing empires were forced to moderate their instincts in face of the terrible prospect that faced them if they fought. By raising the

risks to an intolerable level, the atom bomb at once made war more and less likely.

On the home front, the atom bomb fission offered a new way to generate electricity. Its promise, loudly proclaimed, has never quite been realised. The costs were not as low, the risks as manageable, as proponents would have us believe. Today, 50 years after the first reaction, critical, the public has yet to make peace with nuclear fission. The feeling, it seems, is just as powerful and complex as those felt by the pioneers who watched silence as Fermi orchestrated the historic experiment.

The events that day had other important consequences. They transformed public expectations of science more profoundly than any other event ever conducted. From a laboratory curiosity understood by a few experts, European scientists, nuclear fission became the greatest power on earth. For some, this has been a blessing — and a curse. They have enjoyed their season in the sun, supported in a manner far more generous than was ever the case in the past. But good eggs have not always been laid with the golden egg: their paymasters expected.

Governments have had to learn that merely assembling large teams of scientists and engineers and pointing them at a problem is not enough. If the problem is not ripe, then little or nothing can be achieved. In nuclear fission, a science of momentous revolutionary change coincided with a sequence of events that made it almost not only inevitable but necessary. Science is not usually so accommodating: it yields its secrets sparingly, and not always at the bidding of the biggest spender.

BRRRM BRRRM

British motorbikes rev up again as symbols of liberation

Those who mourn the death of the British motor cycle industry — usually alongside the demise of courtesy and the decline of the pound — will raise a small cheer today. As the International Motorcycle Show opens in Birmingham, two British companies, resurrected from the dead, will display their new wares. Both Norton and Triumph are making motorbikes again — and with varying degrees of success.

Norton was given an abrasive treatment by Sir John Harvey-Jones in his *Trouble-shooter* television programme last week. Motor cycle aficionados claim the company is getting too far upmarket, its new model costing as much as a family saloon car. But Triumph has won great accolades for its *Triumph* described by one motoring writer as "a power plant that could have been designed by Honda or Kawasaki". That, by the way, is a compliment.

In the 1950s, two out of three motorbikes in the world were British-made. By the 1960s, Japan was challenging Britain in the commuter and mopeds market. Within ten years, just one motor cycle in 100 sold in Britain was made here. Since the 1970s, the Japanese have gradually taken 90 per cent of the British market.

Design magazine, in 1981, had harsh words for the British motor cycle industry: "The most patriotic British rider has been seduced from the austere traditional look of motor cycle to the work electric

starter motors and freedom from the juddering vibration. Riders no longer think it part of motorcycling's rich tapestry to sit by a wet roadside with their hands wrapped in an oily clutch."

Motorcycle Sport, in 1970, described Honda's new CB750 as "a connoisseur's dream". The same issue found that the Triumph Trident 3 idled unevenly, leaked oil and was suspected of rust. Some of its dials did not even light up at night. Honda did not make that elementary mistake.

Triumph and Norton are redefining themselves into a shrinking market. New motorbike sales are at an all-time low in Britain — 52,000 in 1991 compared with 331,000 in 1959. Motorcycling was a phenomenon of the postwar years, when petrol was scarce and cars expensive. Motorbikes were then a rite of passage for young men, a taste of the freedom of independent travel before the onus of family responsibility arrived. Now motorbikes are less popular with the young and more so with harassed commuters in their thirties trying to beat the traffic while recapturing a little of their old *Easy Rider* fantasies.

Nostalgia is rarely what it used to be. But companies such as Triumph and Norton have one great advantage. Despite having lain dormant for so long, their brand names endure as romantic symbols of teenage and young adult liberation. And nobody now remembers the leaking oil.

Lamont expenses in the public eye

From Mr Adam C. Barker

Sir, The media and the Labour party are so intent on finding fault with Mr Lamont that they have ignored the conduct of the Conservative party. Why was £18,000 of party funds used to pay legal fees to evict a "sex therapist" from the Chancellor's London home?

You report today that the money did not come from funds raised by constituency parties, but "appears to have been provided by one or more party benefactors". Is this explanation of the source of the money enough to placate members of local constituency parties? I certainly hope not. The ability of rich benefactors to "funnel" money to government ministers through the Conservative party raises very serious questions.

What other "reimbursement" has been paid to ministers by the Conservative party? Did David Mellor receive any "reimbursement" from party funds? If not, why not? Any costs incurred by Mr Mellor in defending his reputation would be comparable to the reimbursement of Mr Lamont's costs.

One has to wonder what controls there are over this Conservative party "slush fund". Surely we cannot allow government ministers to receive money from rich benefactors in this manner. While the Chancellor states that "none of the costs incurred in evicting my tenant was met from public funds", I submit that the Conservative party is not an appropriate alternative form of funding.

Yours sincerely,
ADAM C. BARKER,
Lloyds Avenue House,
6 Lloyds Avenue, EC3.
November 30.

From Mr John E. Strafford

Sir, It is reported today that Conservative Central Office has paid £18,000 towards Norman Lamont's legal expenses. If this is an example of Central Office expenditure, it is no wonder that the party is on the very edge of bankruptcy.

Sir Norman Fowler has proposed a board of management to run Central Office (Diary, November 23). It is essential that at least half of the members of this board are directly elected by the constituency associations by postal ballot. Democratic accountability should stop such an appalling situation arising again.

Yours faithfully,
JOHN E. STRAFFORD,
Perama, Fulmer Road,
Gerrards Cross, Buckinghamshire,
November 30.

From Mr Richard Tattersall

Sir, I am sure that most legal aid lawyers were dismayed at the savage cuts in legal aid entitlement announced by the Chancellor in his Autumn Statement. It was therefore heartening to read of a novel legal aid scheme to assist those who, whilst not on the bread-line, are seemingly unable to bear the full cost of going to law.

I am unclear as to the precise details of the scheme, but newspaper reports suggest that in deserving cases, the Treasury will pay a substantial percentage of the costs incurred.

Legal aid practitioners will be delighted to note that under the scheme there would appear to be no "means test" — the merits of the case alone being the only determining factor — and the scale of remuneration is linked to that charged by the top City firms at about £200 per hour, rather than the much more modest rates that apply under the statutory scheme.

Yours faithfully,
RICHARD TATTERSALL,
Tattersalls (solicitors),
94 Calcutta Road,
Tilbury, Essex,
November 30.

From Mrs Kate Pavlov

Sir, I assume that ministers occupying official residences are not obliged to rent out their private residences. I further assume that, apart from normal taxation of unearned income, such ministers do not usually share with the nation any profits they make from such letting.

That being so, why should the nation be involved in any expenses ministers might incur as a result of such transactions?

Yours faithfully,
KATE PAVLOV,
22 Westbourne Gardens, W2,
November 29.

From Mr Timothy Shorter

Sir, Mr Lamont's solicitors' bill for evicting his tenant and dealing with the media was £23,000, apparently run up over a period of four or five weeks (according to his solicitor on the radio this morning).

As a legal practitioner, I was recently paid a similar amount of money in a Children Act case. The difference would appear to lie in the fact that my case involved six months' preparation, a ten-day hearing and the fee I have received includes counsel's fees, VAT and all necessary expenses.

Yours faithfully,
TIM SHORTER (Senior Partner),
Howe & Shorter (solicitors),
Trinity Chambers, 19 Trinity Road,
Weymouth, Dorset,
November 30.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Key issues for future of the BBC

From Professor Eric Barendt

Sir, The green paper, *The Future of the BBC* (reports and leading article, November 25), is silent on one key issue of constitutional importance: why should our public broadcasting system be set up by royal charter and not by statute?

The BBC's institution by charter, renewed every 15 years, makes its very existence dependent on the continued goodwill of government and enhances the insecurity it feels as a result of reliance on the licence fee. The government can revoke the charter at any time.

Moreover, if the BBC were set up by statute MPs from both sides of the House would be able to influence the terms of its constitution. At the moment important restrictions are imposed on the corporation's freedom by a licence and agreement, which is not the subject of a detailed clause-by-clause debate in Parliament.

Coupled with the prime minister's monopoly power to nominate the BBC governors, the charter and the licence give the government an ability to influence public broadcasting, which seems hard to justify and is surely disturbing.

Yours faithfully,
ERIC BARENDT,
University College London,
Faculty of Laws, Bentham House,
Endsleigh Gardens, WC1.
November 25.

NHS under pressure

From Professor T. J. Ryan and Professor R. D. R. Camp

Sir, Many GP fund-holding practices are seeking to employ consultants whose future clinical activities are perceived to be better based in the community than in hospital departments. Consultant dermatologists have been under particular pressure to take on such sessions.

Although this system will have advantages for some, we are concerned that many patients may receive poorer quality dermatological care, because it is not cost-effective to equip every health centre with appropriate facilities for following through diagnosis, investigation and specialist treatment.

The number of fund-holding general practices will far exceed the number of available UK qualified dermatologists. Some may employ less expensive and less qualified dermatologists, perhaps from other parts of the world.

Diversion of patients and funds from hospital departments will result in disintegration of the essential hospital-based dermatological services needed for many patients. Furthermore, the erosion of academic centres will be to the major disadvantage of undergraduate and postgraduate teaching, the training of future dermatologists, research into skin disease and its treatment, and ultimately patient care.

Politicians, health service managers, dermatologists and general practitioners should consider with care the consequences of such developments. The need for an organised policy and long-term planning is now urgent.

Yours faithfully,
TERENCE J. RYAN,
(President, British Association of Dermatologists),
RICHARD CAMP,
(Chairman, British Association of University Teachers of Dermatology),
British Association of Dermatologists,
3 St Andrew's Place,
Regent's Park, NW1,
November 23.

From Professor Peter Sönksen

Sir, Dr D. J. M. Wright (letter, November 19) is right to raise the issue of how best to decide what is the

Child support

From the Director of the Child Poverty Action Group

Sir, Mr Martin Symonds's view (letter, November 19) that the income support regulations are being changed "to ensure that those people in receipt of maintenance will be able to keep a proportion without it affecting their benefit" is wrong. Every £1 of child maintenance received will continue to result in £1 decrease in income support.

Mr Symonds also refers to the scheme whereby the DSS can take over court orders when parents are not receiving maintenance on those orders regularly. However, the DSS does not pass on any maintenance recovered to the parent. It is only a system for ensuring that no families end up below income support level.

There is no such safeguard for those in receipt of family credit, the benefit for parents working at least 16 hours a week. When calculating family credit, the first £15 of maintenance is ignored. However, if an absent father is due to contribute more than £15 a week but does not pay up, the parent caring for the children will be worse off than if she was not due any maintenance at all.

People on family credit should at least be guaranteed not to lose out; but ministers have said that they cannot implement such a scheme.

Yours faithfully,
FRAN BENNETT, Director,
Child Poverty Action Group,
1-5 Bath Street, EC1.

Hard choice on Hong Kong future

From Sir Percy Cradock

Sir, Your leader of November 20 launches a violent attack on the "old China hands", the "former architects of China policy". You say that their policies have failed, their advice was pusillanimous, and that they are concerned, not with the welfare of Hong Kong, but with protecting their own shabby performance from exposure in the light of Mr Patten's reforms.

Since I am clearly one of your targets, perhaps I could comment. The policy I advocated, and still advocate, is one of quiet but tenacious negotiation with Peking in the interests of Hong Kong, pressing hard, but avoiding open breaches and trials of strength for which Hong Kong will have to pay.

The working principle has been that Hong Kong's welfare depends on Sino-British co-operation. If that is a pusillanimous policy, I plead guilty, and so must the ministers of two governments who endorsed it. A failed policy? It brought us, among other things, the Joint Declaration of 1984. Does *The Times* think that a failure? And where does it think Hong Kong would be now without the declaration?

As regards the current crisis, everyone, in Britain at least, would like Hong Kong to be able to enjoy more democracy. That is not in issue. What is in issue is whether pushing on with the present constitutional proposals in the face of violent Chinese opposition will do Hong Kong, including Hong Kong democracy, more harm than good in the long run.

The Chinese have said that if the proposals are implemented they will dismantle the present legislature and set up their own in 1997. The result will be a more repressive system. As confrontation deepens Chinese co-operation in other areas affecting Hong Kong is likely to be withdrawn and Chinese commitment to the Joint Declaration itself could be reduced.

The logic or fairness of the Chinese response is neither here nor there: what matters is whether they will carry out their threats. If we are sure they are bluffing, all well and good. If we believe, as I do, that they are serious, that is a different matter. We then have to judge whether Hong Kong will be best served by four years of improved democracy, set up in conditions of worsening Chinese hostility, and followed by a more repressive system of indefinite duration; or, on the other hand, modification of the present proposals to ensure that the legislature is preserved and that Chinese commitment to the Joint Declaration is not weakened.

That is the hard choice facing us, and Hong Kong. Old China hands and all friends of Hong Kong are alive to it. You either do not grasp it, or choose to evade it. Either way, you seriously mislead your readers.

I am, Sir, your obedient servant,
PERCY CRADOCK
(Foreign Policy Adviser to the Prime Minister, 1984-92),
c/o Reform Club,
Pall Mall, SW1,
November 26.

Guest detritus

From Mr David Moss

Sir, It is quite clear that Mr Eliot Cohen's son's seven friends (letter, November 28) have every intention of being invited to stay again. The items they left behind — wellingtons, walking boots, jerseys etc. — suggest the next invitation should be a weekend in winter — presumably this winter.

Yours faithfully,
DAVID MOSS,
73 Wroughton Road, SW11.

Sitting pretty?

From Mr D. R. Tye

Sir, Your correspondents (November 16, 17, 18, 20, 23, 25) speculate on an appropriate new filling for the Woolsack. Privatised the wool, I say, and give the sack to the Treasury.

Yours sincerely,
D. R. TYE,
Ridgicroft, Birch Grove, West Hill,
Ottery St Mary, Devon.

From Mr Brian H. Taylor

Sir, At the risk of spoiling the fun, I suggest whoever sits on the Woolsack as we enter the 21st century would gain the greatest comfort from knowing that he or she presided over a democratically elected second chamber.

Yours faithfully,
BRIAN H. TAYLOR,
Silverstone,
Ashley Park Road,
Walton-on-Thames, Surrey.

From the Master of the Worshipful Company of Woolmen

Sir, Why not wool?

Yours etc.,
BARRY H. JEFFERSON
(Master, The Worshipful Company of Woolmen),
Hanaper, 12 Bluebridge Road,
Brookman's Park,
Hatfield, Hertfordshire.

Business letters, page 25

Letters should carry a daytime telephone number. They may be faxed to 071-782 5046.

SUNNIE MANN

from captivity — he had been the eldest of the Western hostages held by pro-Iranian kidnappers in Beirut — and his spell of recuperation in England, the couple settled in Cyprus. He was at her bedside for much of the two weeks she was in hospital before she died.

Sunnée Mann is survived by Jackie and her daughter Jennifer.

FAX: 071 481 9313

[illegible]

**IN PARLIAMENT
SESSION 1992-93**

ALLIED IRISH BANKS

NOTICE IS HEREBY GIVEN that application is being made to Parliament in the present Session by AIB Group Northern Ireland plc ("AIB NI") (formerly known as TSB Bank Northern Ireland plc) to amend the Companies Act 1986, as amended, and under the said "First Trust Bank" and Allied Irish Banks, p.l.c. ("AIB") for an Act under the above name or short title for purposes of which the following is a *conclusive summary*:

To transfer to AIB NI on a day appointed by the directors of AIB Bank plc ("AIB Bank") all the assets of AIB Bank as then existing so that AIB NI shall succeed to the Northern Ireland branch business of AIB Bank including its business as a bank of issue to make payment orders to property and rights pertaining to the said business held by AIB NI as any fiduciary capacity and the construction of instruments or orders relating thereto; the continuation of the business of AIB Bank, including moneys and instruments in accordance with statutory provisions and other documents and instruments (including references to AIB NI in instruments relating to its business as a bank of issue, discount instruments, negotiable instruments, a carrying of funds, securities and proceeds and the custody of goods, securities and instruments and the custody of the Bankers' Books Evidence Act 1870; special provision concerning contracts of employment; the validation of wills; the transfer of interests in land and the application of the provisions

On and after 4th December 1992 a copy of the Bill may be deposited, and copies obtained at the price of sixpence, each at the principal offices of Ailsa in England, Scotland and Wales, namely: London, Whitehall, Middlesex: UB8 1TB; at the registered office of the House of Commons, Westminster: SW1A 0AA; at the House of Commons, Belfast; and at the offices of the undersigned Group Law Agent and Parliamentary Agents.

Objection to the Bill may be made by depositing a Petition against it, in the Bill's originals in the House of Commons the latest date for depositing such a Petition, in the Private Bill Office of that House will be 26th January 1993; if it originates in the House of Commons, the latest date for depositing such a Petition in the office of the Clerk of the House of Commons will be 20th January 1993. Further information may be obtained from the Private Bill Office of the House of Commons or the office of the Clerk of the House of Commons, House of Commons, Westminster, SW1A 0AA, or the undersigned Parliamentary Agents.

Dated 1st December, 1992.

<p>BY IAN SHERIDAN, Ailsa Group, 100, Strand, Bathurst, Dublin 4.</p>	<p>SHERWOOD & CO., 35 Great Peter Street, Westminster, London SW1P 3LR. SW1P 3LR.</p>
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Parliamentary Agents.

هكذا من اجل

Kingstonian granted Cup reprieve

FA decides that Peterborough must replay tie

By LOUISE TAYLOR

THE Football Association yesterday ordered Peterborough United to replay their FA Cup first-round tie with non-League Kingstonian. The match will be behind closed doors at London Road on Friday afternoon.

Peterborough, of the Barclays League first division, beat Kingstonian 9-1 at home in a replay last Wednesday night, but the Diadora League side lost Adrian Blake, their goalkeeper, early in the second half when he was struck on the head by a missile—probably a 50 pence coin—thrown from the crowd. Blake spent the night in hospital suffering from concussion. Kingstonian protested to the FA and the result was an enquiry held at Peterborough's London Road ground yesterday by members of the Challenge Cup Committee.

After three hours of deliberation, the three-man commission—consisting of Terry Annable (Nottinghamshire), Percy Rushon (Worcestershire) and Ray Berridge (Bedfordshire)—and chaired by Adrian Timcombe, the FA's head of competitions and regulations—decided the match must be staged again. In so doing, they took the middle option. The others

were to fine Peterborough or eliminate them from the competition. The winners on Friday, when the kick-off is at 2pm, will travel to Plymouth Argyle for a second-round tie. The decision follows a precedent set in 1985 when Leicester City were ordered to replay against Burton Albion behind closed doors at Coventry after the non-League side's goalkeeper was similarly struck by a missile. The Burton goalkeeper was hit with the score at 1-1 and his side went on to lose 6-1 before being beaten again in the replay, but Kingstonian were 3-0 down when Blake was felled in the fiftieth minute.

After studying video evidence and hearing from local police officers and Kingstonian representatives, Timcombe said: "There is no doubt that the incident significantly influenced the final score. It is very serious when any player has to leave the pitch because of crowd trouble."

Blake, who still has a lump on his head, attended the enquiry. "It hurt," he said. "I can only remember being whacked on the back of the head and I still feel sick and my legs are shaky. But if the doctor says it, I hope to play on Friday."

It was the second time in the match that Blake was struck. The first missile hit him on the back and police found seven coins on the pitch afterwards. They have questioned a man about the incident and he has been released on bail pending further investigations.

Philip Sagar, a Peterborough director, said: "This club is gutted that one person—I will not call him a fan—can cause such distress and extra effort on the part of both clubs. We are particularly angry because of our previously excellent public order record." Sagar estimated that the cost of staging the replay will be between £3,000 and £4,000—an outlay Peterborough, who must also foot the bill for the enquiry, can ill afford.

Barry Chauveau, the Kingstonian chairman, said: "We do not have any crowd trouble and ideally I would have liked to play again in front of our supporters."

Chris Kelly, the Kingstonian manager, said: "I don't know how I'll be able to get a team together. Already three players have told me they will have trouble getting the day off. They should have given the game to Peterborough. They would not have got nine had our goalkeeper stayed on, but the score might not have been far short."

Last night's replay between Salisbury and Marlow was called off because of a water-logged pitch.

Vocal Graham, page 38

Field for finals increased

By STUART JONES
FOOTBALL CORRESPONDENT

THE European football championship finals, to be staged in England in 1996, are to be the biggest in history. An executive committee meeting of Uefa, the sport's European governing body, in Istanbul yesterday agreed that the field should be doubled in size to 16 nations.

The finalists are to be divided into four groups, with the top two teams from each going through to the quarter-finals. As the hosts, England qualify automatically and, in another departure from tradition, so will the holders, Denmark, who will thus claim a unique double.

They did not qualify for the tournament in Sweden last summer but were belatedly invited to take the place of wartime Yugoslavia. In spite of the minimum of preparation they won their group, which included England, and beat Germany in the final.

As well as the Danes, four English clubs are sure to benefit from Uefa's change of heart. The break-up of Yugoslavia and of the Soviet Union persuaded it to reverse its original decision, made in March. The Football Association, which had reluctantly closed files on possible venues, will now reopen them.

Three of the eight required arenas have already been chosen. They include Wembley, where the final and perhaps both semi-finals will be held, Old Trafford and Villa Park. Elland Road, the home of Leeds United, is also almost certain to be selected.

The cases for Goodison Park and Nottingham's City Ground are also strong. The other candidates are, in the south, Highbury and Selhurst Park and, in the north, either Hillsborough, Bramall Lane, St James' Park or Sunderland's new ground.

The FA would prefer to maintain a wide geographical spread. Apart from London, the plan is to have no more than one venue in each city. The enlargement is welcomed because it will involve more communities, offer more supporters the opportunity to watch live international football, and provide better commercial benefits.



Mended wing: Audley Lumsden relaxes yesterday after being named for Oxford in the university match

Lumsden achieves his goal

By DAVID HANDS, RUGBY CORRESPONDENT

TWO full houses at Twickenham this season have already featured Australians, South Africans, the odd New Zealander and a Canadian. The next one, when Oxford play Cambridge in the 111th university rugby union match next Tuesday, will run through the same gamut in one afternoon, such is the diversity of the two sides.

Amid them all will be Audley Lumsden, once one of Bath's leading lights, an England B full back and destined for the game's highest honours until a serious neck injury four years ago intervened. But Lumsden recovered, took his place at Oxford and looked certain of a blue last year before he was damaged on an ankle playing in the Dubai sevens.

Now, at 25, Lumsden has made it to Twickenham: he was named on Oxford's right wing yesterday. He has been by no means a regular in dark blue this term, but his known

athletic gifts have earned him the place ahead of the unlucky David Currie, who must be content with a place among the replacements.

Oxford will take the field with five blues; Cambridge, holders of the Bowring Bowl,

with six, though they have moved Max Duthie, a lock last year, to blind-side flanker alongside Eric Peters, the captain. The persevering Rory Jenkins, in his fourth year, makes up the Light Blue back row, and Alexis Read, whose

mobility and distribution was so impressive against Mickey Steele-Bodger's XV last week, remains at hooker.

Apart from the wing position, Oxford's main query was at tight-head prop. The place has gone to Andy Williams, who played at Twickenham in 1988 and now returns on a post-graduate course. He plays ahead of Andy McConville, the Australian who damaged a rib at just the wrong time of term and has been struggling for fitness.

Not that Oxford are short of a cosmopolitan look: their players are drawn from South Africa, Australia, New Zealand, Canada, Ireland and Wales.

Cambridge content themselves with two natives of Brisbane and their usual scattering of Welshmen, of whom Lloyd Davies moves from centre, where he played against Oxford last year, to full back.

TEAMS	
OXFORD UNIVERSITY: M. T. Joy (Marling and Kable); A. E. Lumsden (Alfred Supton, Reading and St. Cross); M. P. Stuart (Rory Jenkins, MA, Coventry and Christ Church); D. P. O'Mahony (Christ Church, Cork and Kable); D. O. Spence (St. Andrew's College, SA and Kable); N. G. Malone (Marlborough College, Bathurst and Kable); "S. Paul" (Paul House Gymnasium, SA and Christ Church); I. A. Ricketts (Hawke's Bay and University); "M. B. Foston" (Cambridge College, Bathurst and St. Catherine's, Bathurst); B. P. Messer (St. Joseph's, Bathurst and Kable); "D. R. Evans" (Brooklands, Chesham and St. Andrew's); "S. B. Dainton" (Westminster College, NZ and St. Catherine's); C. G. Linn-Carter (Preston Boys and Kable); B. G. O'Mahony (Christ Church, Bathurst and Kable); "S. C. Williams" (RGS High Wycombe and Tenterden); P. E. Miles (Rugby, Henry VII, Coventry and Kable); A. S. McConville (Amidale, NSW and St. Anne's); M. R. Humphreys (Marlborough College, Bathurst and Bathurst); P. P. Convery (Clonowogue Wood College, Dublin and Templeton); G. L. Kiley (Farnham and Kable).	
CAMBRIDGE UNIVERSITY: "L. Davies" (Preston CS and St. Edmund's); S. A. Burns (St. Dunstan's College and Magdalen); D. P. Hoppley (Harrow and Hughes Hall); J. P. Flood (Stonyhurst College and St. Edmund's); G. R. O. Bostons (Epsom College and Downing); "K. L. Price" (Aberdeen CS and St. Edmund's); "M. W. de Meid" (Lady Mary HS, Cardiff and Hughes Hall); D. R. Perrett (Preston and Jesus); A. J. G. Reed (RGS High Wycombe and Hughes Hall); P. G. Collier (Chesham and Farnham); "S. B. Dainton" (St. Andrew's, Bathurst and Kable); "D. J. Blake" (Harrow and Hughes Hall); "D. P. A. de Meid" (St. Edmund's and Hughes Hall); R. H. J. Jenkins (Dundee and Downing); "E. W. Peters" (Barnwood and Hughes Hall, capt.); "S. C. Williams" (to be named).	
Referee: E. Morrison (Bristol).	

Bryant bows out at top

By DAVID RHYS JONES

A LENGTHY chapter in the history of bowls came to a close yesterday when David Bryant, 61, regarded as the greatest player in the sport, announced the end of his international career. The man with the pipe, sleek, brilliant hair and ability to propel woods more accurately than anyone, has decided not to play in the England indoor trials this winter.

However, Bryant's influence will remain as he has accepted an invitation from the England selectors to become the non-playing captain. "Because I've been playing for England since 1958, I feel I have something to offer, and am looking forward to making a contribution to the team's efforts," he said yesterday.

Apart from being the one bowls player instantly recognisable by all, Bryant set the standards in the game and did most to message its image as it entered the television age. "There

were not any young players around when I took up the game, but it's different now," he said. "The average age has plummeted is due in no small measure to the influence of the modest, nose-growing, trout-fishing enthusiast from Clevedon."

Bryant was eight when he started playing with miniature bowls on the family lawn; 21 when he won his

first county title and 24 when he skipped Clevedon to the national fours title.

Since then, he has won the world singles championship three times outdoors and three times indoors, four Commonwealth Games gold medals, a Commonwealth fours gold medal, a world outdoor triple gold medal, six gold medals in the world indoor pairs championship and 26 national titles. His international career spans 34 years.

His first Commonwealth Games success was in 1962, and he remained champion until 1982, when he was not allowed to compete because he had turned professional. Bryant's man-management skills made him a successful skip, and will serve him well as non-playing captain. But his reputation was based on his mastery of singles play, winning the England singles title six times on grass and nine times on carpet. He was made an MBE in 1959 and a CBE in 1980.



Bryant: set standards

Augusta's Games hopes subside

LAUSANNE: The possibility of a golf tournament at Augusta National as part of the centenary Olympic Games in Atlanta is increasingly looking a dead duck. (David Miller writes). The tradition of racist discrimination by the club is something that the International Olympic Committee (IOC) will not, I am assured, attempt to bypass.

The IOC has received a letter of protest from executive officials of the Atlanta city council, following a council resolution formally objecting to Augusta National as an

Olympic venue. It is a non-binding resolution as far as the Atlanta organising committee (AOCG) is concerned, but there is no prospect of the IOC moving against the mood of the host city council.

Whether AOCG can rescue the proposed tournament by staging it at an alternative club remains to be seen. The position is an embarrassment and reversal for Billy Payne, the president of AOCG, who prematurely drew Augusta National into the front line by staging a press conference on the proposal before the idea

had been presented to the IOC. Now Payne will be criticised either way.

The council resolution has provoked predictable hostility from Payne and, more unexpectedly, from a black Augusta state senator, Charles Walker. Both have asserted the issue is not the city council's business, a barely credible stand. Payne has continued with his claim that an Olympic tournament would open up Augusta to new audiences and, for the first time, a women's event.

New handicaps, page 37

RACING 37

DESERT ORCHID
COMES OUT OF
INTENSIVE CARE

Gower is picked for Sky's team

By ALAN LEE
CRICKET CORRESPONDENT

DAVID Gower learned yesterday that he will, after all, have a part to play on England's cricket tour of India in the new year. Gower's role, however, will be restricted to commentating for Sky Sports, which is to screen all the international matches live and in full.

Gower, whose omission from the England party caused such a furore that some MCC members are still militating for a special general meeting, is in Australia as part of the Channel 9 commentary team on the Test series between Australia and West Indies.

When that ends, however, he will fly to India and join two more of Test cricket's leading run-scorers, Geoffrey Boycott and Sunil Gavaskar, in a Sky Sports presentation fronted by Charles Colville. All three Test matches, plus the six one-day internationals, will be shown ball-by-ball, a total of 150 hours of live coverage from January 16.

Sky's public relations office was last night unwilling to divulge financial details, concerning either the figure paid to Mark McCormack's Trans World International group for the rights to the series, or the fees which will be paid to the commentary team. What can be said is that Gower will not now be suffering financially through his non-selection.

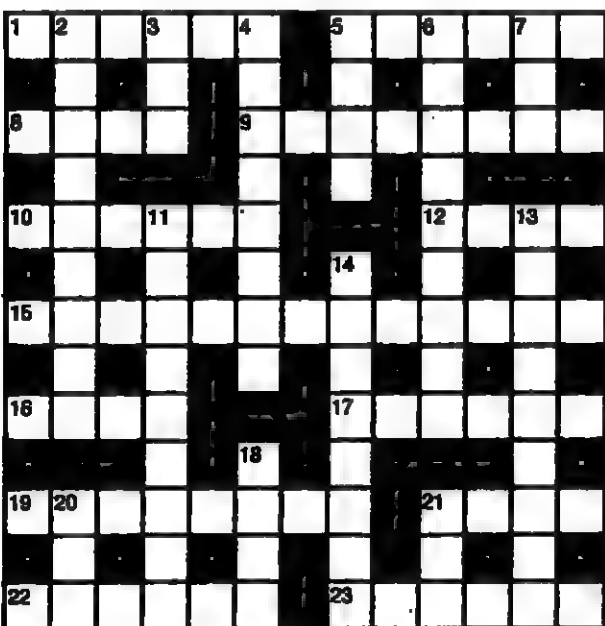
Gower was in a similar position three years ago. He had lost the England captaincy to Graham Gooch and was not chosen for the tour to West Indies. Instead, he went as part of the Sky team which televised an England overseas series for the first time. Because of injuries to the touring party, Gower did end up playing in one tour game and came close to taking part in the final Test.

This will be the first time that a Test series in the Asian subcontinent has been televised in full.

Sky is still negotiating with the Test and County Cricket Board over coverage of next summer's Sunday League, to be played over 50 weeks with coloured clothing, and it will be favourite to win the rights to the next World Cup if England is confirmed as the venue.

England bid, page 36
Slow Shastri, page 36

CONCISE CROSSWORD NO 2959

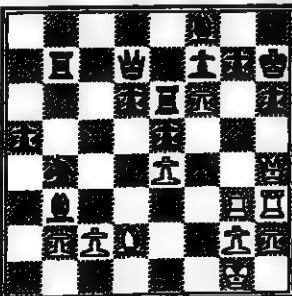


- ACROSS
1 Building block (6)
5 NCO symbol (6)
8 Guernsey neighbour (4)
9 Giving counsel (8)
10 Clashing (2,4)
12 Fairground structure (4)
15 Statically accepting (1,3)
16 Pork luncheon meat (4)
17 Irritable (6)
19 Give up for lost (5,3)
21 Summit (4)
22 Curving (6)
23 Pod plant (6)
- DOWN
2 Hard work poor pay factory (5,4)
3 Thrash (3)
4 Make fresh appraisal (8)
6 Reserve (4)
7 Normal standard (3)
11 Italian Alps (9)
13 Abdomen thorax membrane (9)
14 Malicious (8)
18 Small horse (4)
20 Tier (3)
21 Stabilize (3)

SOLUTIONS TO NO 2958
ACROSS: 1 Characterised 8 Nitre 9 Editors 10 Lee 11 Repro 12 Deadpan 14 Voyage 16 Impale 20 Nuclear 23 Noose 24 ETA 25 Imparts 26 Grant 27 Neighbourhood
DOWN: 1 Contravention 2 Autopsy 3 Age-long 4 Tweeds 5 Raisa 6 Scoop 7 Disinterested 13 Dip 15 All 17 Manager 18 Avocado 19 Presto 21 Capri 22 Earth

By RAYMOND KEENE, Chess Correspondent

This position is from the game Mitkov - Summermatter, Chiasso 1991. With White's heavy pieces lined up so powerfully on the kingside there are clearly combinatorial possibilities in the air. Not wishing to disappoint the crowd, White broke through in fine style. How?



Solution on page 36

CROSSWORD ENTHUSIASTS: For mail order details of all Times Crossword Books and The Times Computer Crossword software for beginners or experts, (runs on most PCs), telephone Akom Ltd on 081 852 4575 Mon-Fri after 4pm or weekends, or call CDS Doncaster on 0302 890 000. Postage free until Christmas (applies UK only).

WORD-WATCHING

By PHILIP HOWARD

- HOPPY
a. An avuncular office manager
b. Characterised by drug-taking
c. A young kangaroo
DEEP SIX
a. A genre of Heavy Metal
b. A secret cabal
c. The grave
RAMMY
a. A young tup
b. A saxophone
c. A fight between gangs
CORNFEED
a. Banal
b. A country police officer
c. Shaped into a corner

Answers on page 36

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Classic backroom research won the Matrix Churchill trial. Edward Fennell reports

At the moment when Alan Clark, the former trade minister, made his now notorious admission about advising Matrix Churchill to be "economical with the actualité", Kevin Robinson, the solicitor to the accused managing director Paul Henderson, was already on the way home to Sheffield. He may have missed the public denouement, but he and his clients had already noted half a dozen points at which the case had irreparably collapsed. Mr Clark's declaration, while dramatic, was simply an admission of checkmate in a game lost six moves earlier.

For Geoffrey Robertson, QC, Mr Henderson's barrister, it was an opportunity to enjoy another brilliant triumph, exposing double-dealing in government circles. But the part played by Kevin Robinson was the basis of the successful outcome. Working on the case for more than 18 months, Mr Robinson, a partner in the Sheffield firm Irwin Mitchell, undertook the classic backroom research role, burrowing through mountains of documents, unearthing snippets of evidence and assembling a strong defence.

Even if the documents from the Department of Trade and Industry (DTI), Ministry of Defence and Foreign Office had never been released, it is possible that Mr Henderson and his fellow accused would still have walked away free men, due to Mr Robinson's diligence. "When I met Paul Henderson for the first time I was convinced that he was innocent," Mr Robinson says. "I had been recommended to him by another client of mine, Chris Cowley, who was involved in the supergun case. In some ways, therefore, it was on familiar territory and I decided very early on to have an old-style commitment to get behind the face of the prosecution witness statements."

The first fruits of this approach came when a DTI official admitted the government had known that Matrix Churchill was part of the Iraqi procurement network. Once that tiny hole in the prosecution case had been exposed, Mr Robinson could lever it wider until the whole argument fell through.

The task took time, however. In the wake of the commitment and the vital evidence it revealed, Mr Robinson worked closely with Mr Henderson to build up massive amounts of data.

"In many respects Paul Henderson was a dream client," says Mr Robinson. "He was very sensible, resourceful, with lots of ideas. At the same time he was very level-headed. There were times, of course, when the strain showed, but not very often. He's a remarkable man and one can see why British intelligence admired his performance in such a dangerous role."

There were two key themes in the defence, the political and the technical, both of which Mr Robinson pursued. The first line was the one that



Unsung hero: Kevin Robinson worked on the case for 18 months, building up massive amounts of data

Digging for truth in guns-and-spies saga

ultimately triumphed: basically that the government knew what was going on. Here, Mr Robinson was helped considerably by his links with American lawyers engaged in similar cases in the United States. American journalists also provided useful information. Soon after he started his research, the offices of Irwin Mitchell began to receive documents from the CIA, the White House and other United States government departments courtesy of American lawyers. These documents showed the depth of American knowledge about the end use of Matrix Churchill's machine tools.

From there it was a simple but lengthy matter to prove that what the CIA knew was shared with the British government. Here Mr Robinson's dedicated reading paid off. A one-line comment from a member of the Commons select committee on trade with Iraq (the supergun enquiry) proved critical in establishing the exchange of information. What the CIA knew, Mr Robinson could show. British intelligence should also know. But did this amount to proof that the

DTI, for example, also knew? This was where the prosecution behaved with what Mr Robinson describes as "astounding generosity".

"At the start of the trial, the prosecution conceded that it would accept that information given to one arm of government was information given to the government as a whole. This was an important concession."

'I decided to have an old-style commitment to get behind the face of witness statements'

As it happened, Mr Robinson still had a second line of "technical" defence. For the Matrix Churchill equipment to fall under the export control orders, it had to have been specially designed for munitions manufacture. It seemed that with Matrix Churchill's machine tools this was not the case. They could be used for general engineering purposes and Mr Robinson argued that the prosecution was confusing "special design" with "intent". He was able to prove his point. Dr Roger Hannam, an expert witness from the University of Manchester's Institute of Science and Technology, demonstrated that the Matrix Churchill machinery was not specially designed for military purposes. The prosecution had no such expert witness to contest Mr Hannam's evidence.

In the event, the judge ordered the disclosure of many of the government documents and after some tight cross-examination of prosecution witnesses Mr Henderson and his colleagues were free.

But why did the case go ahead at all? The security services may understandably be furious at the revelations. If ever there was a case of an MI6 cover-up, this was it. That it was exposed is chiefly down to Mr Robinson and the barristers representing the defendants. Without them, the outcome could have been quite different.

Gay lawyers are left out in the cold

The Law Society is coming under fire for excluding gays and lesbians from its recently published discussion paper on discrimination. The society is proposing a practice rule to outlaw discrimination within law firms on the grounds of race, sex or disability. But phrases which would have afforded similar protection to gay and lesbian solicitors were expunged before the paper was published.

The provisions on sexual orientation were apparently dropped after some angry and blunt reactions from the Law Society's higher echelons. One senior council member said: "Sexual orientation? Don't you mean sexual discrimination?"

Henry Hodge, a Law Society council member, denies that the society is pandering to its most reactionary members. "Of course the society is not saying that it approves of discrimination on grounds of sexual orientation. There is nothing to stop firms including it in their own equal opportunities policies. It is just not included in our document."

But gay lawyers and civil rights groups are less sanguine about the impact of the omission. Andrew Puddephatt, general secretary of Liberty (formerly the National Council for Civil Liberties), describes it as "outrageous". An equal opportunities policy which excludes lesbians and gays is not neutral, he says. "It's a booby trap. Silence will be seen as consent and it will effectively legitimise discrimination within firms."

The legal profession should be leading the way, not dragging behind, he argues. Solicitor Angela Mason, executive director of Stonewall, a gay lobby group, agrees. "The society has not taken a principled approach," Stonewall will be urging the society to change its policy.

The Law Society appears to be swimming against the tide. The American Bar As-

Proposals for practice rules on discrimination attract criticism



Angela Mason: lobbyist



John Lovatt: appalled

protection for gay and lesbian employees.

Mr Hodge says that the society is not aware of any complaints of discrimination against gay solicitors. Law student Katrina Robinson remains unimpressed. "Have they looked?" she asks. "Gay people are discriminated against in every walk of life. They are legislated against and beaten up on the street. Why should it suddenly stop when it comes to the legal profession?"

She is looking for articles and fears she may receive less than even-handed treatment from prospective employers. "I wrote to a City firm which publishes an equal opportunities policy asking whether that included sexual orientation." A reply is still awaited.

Stuart Walker, a barrister and a member of the Haldane Society Lesbian and Gay Sub-group, says her concerns are well-founded. Trainees and junior solicitors have reported great difficulty in "coming out" at work. He says that unless firms have explicit equal opportunities policies, gay and lesbian solicitors will continue to fear that their sexuality will count against them in the jobs race.

John Lovatt, partner at the self-styled "all-gay" London firm Woods Lovatt, is equally appalled at his professional body shutting its eyes to the discrimination he says exists. "As many as one in ten lawyers may be gay. But they know that if they come out at work, they will face discrimination and hostility from their employers."

"Many are leading double lives. I did it myself until I became self-employed."

Whether the Law Society changes its mind, it will at the least have to engage in public debate with those affected by its decision. In future, the society's deliberations on sexual orientation seem set to be brought well and truly out of the closet.

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Mr. Simon Hargreaves has joined Chambers as junior tenant following his successful pupillage in Chambers.

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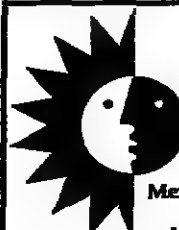
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1350/1351

Power to entertain tax declaration

Beecham Group Ltd v Inland Revenue Commissioners
Before Mr Justice Mervyn Davies
(Judgment November 6)

Since the taxpayer had, under the statutory code, no way of appealing against a demand for information and a failure to comply entailed a penalty, it followed that the court had jurisdiction to entertain an originating summons brought by the taxpayer seeking a declaration that the Commissioners of Inland Revenue were not entitled to apply the provisions of section 485 of the Income and Corporation Taxes Act 1970 to the taxpayer in respect of certain of its accounting periods.

Mr Justice Mervyn Davies so held in the Chancery Division, after a hearing in chambers reported with his Lordship's consent, when dismissing an application by the defendant, the Commissioners of Inland Revenue, to strike out the originating summons brought by the plaintiff taxpayer, Beecham Group Ltd.

Mr Graham Aaronson, QC, for the plaintiff, Mr Timothy Brennan for the defendant.

MR JUSTICE MERVYN DAVIES said it was made clear at the outset that striking out was sought on the ground that the court had no jurisdiction to hear the originating summons or if it had, the court ought in its discretion to refuse to hear it.

The suggestion that the court had no jurisdiction was founded on the contention that whether or not the Revenue might, in the circumstances of the case, invoke section 485 of the 1970 Act was a question within the exclusive jurisdiction of the special commissioners.

The appeals have been before the special commissioners but the hearing had not yet been concluded. It now appeared that the Revenue wished to be informed of dealings between the plaintiff and one of its subsidiaries, Beecham Pharmaceuticals (Pte) Ltd, a Singapore company, if such information was forthcoming there might be occasion to amend the assessments already made.

By October 26, 1990 the Revenue were requiring a considerable volume of information to consider whether to make use of section 485 for the purpose of altering the open assessments. No section 17(3) notice had yet been served.

Mr Aaronson submitted that at the hearing of the originating summons it would not be open to the Revenue to seek an alteration of the existing assessments; that any profits or income disclosed in information pursuant to any section 17(3) notice had to be made, if at all, the subject of a new or further assessment and it was common ground that it was too late to make any further assessments.

Further, he submitted that the plaintiff should not be put to the task of complying with a section 17(3) notice because, if he was right in saying that an effective section 485 direction could not be made, the compiling of the information sought by the Revenue would be burdensome, oppressive and a waste of time.

That was why the originating summons had been issued.

His Lordship was satisfied there was an arguable case on whether or not the Revenue were entitled to invoke section 485; see guidance provided in the notes at p332 et seq to Order 18, rule 19 of the Rules of the Supreme Court.

Mr Brennan submitted it was an abuse of process to proceed by action when there were open appeals against the relevant assessments before the special commissioners, that save in exceptional circumstances the special commis-

sioners had exclusive jurisdiction to determine the appeals in relation to the facts: see sections 31, 50, 52, and 54 of the Taxes Management Act 1970. In accordance with those provisions the taxpayer could not litigate a point of law that arose in the appeal.

His Lordship said that was correct but it was not quite the position in the instant case. The appeals stood adjourned and the question posed by the plaintiff was whether or not in the course of those appeals the Revenue could now introduce an element that had been absent from the appeals to date, namely the invoking of section 485.

It seemed that whether the introduction of that new element into the appeals could be considered by the court depended upon the jurisdiction of the court as to disputes between the Revenue and the taxpayer.

In *re Vandervell's Trusts* [1971] AC 912 both Lord Wilberforce (p937) and Lord Diplock (p943-4) spoke of the "correctness of an assessment" and Lord Wilberforce (p940) of "disputed assessments".

In the instant case what the plaintiff wished to do at the present stage was not to dispute the existing assessments but to dispute the right of the Revenue to seek to vary the existing assessments by section 485.

In the circumstances of the instant case, which were removed from those of *Vandervell*, it might be arguable that one was not obliged by *Vandervell* to hold that it was only the special commissioners who could say whether or not section 485 was to be applied.

Balen v Inland Revenue Commissioners [1978] 52 TC 406 was a case where Mr Justice Oliver felt able, despite *Vandervell*, to hold that the court had jurisdiction to entertain a claim for declarations sought at the suit of the taxpayer.

There should be either a rule of practice or a procedural requirement ensuring that proper notice be given where there was an intention in a criminal trial to take technical points such as objection to a document admissible under section 24 of the Criminal Justice Act 1988, as being inadmissible by reason of section 69 of the Police and Criminal Evidence Act 1984 to which section 24 was expressed to be subject.

The Court of Appeal (Lord Justice Finkelstein, Mr Justice Henry and Mrs Justice Brown) so held on November 5 in dismissing appeals by Raymond Francis Blackburn and Kim Joseph Wade against their convictions in May 1992 at Southwark Crown Court (Mr Assistant Recorder Porten and a jury) of handling stolen goods.

MR JUSTICE HENRY said that their Lordships wished to make it clear that, while it was not necessary for their decision in the instant case, they would have been extremely reluctant to accept that a document produced on a word processor, rather than on a typewriter or by a quill pen, thereby became a document to which section 69 applied, that is to say a document produced by a computer rather than a document produced by the writer.

If such documents were covered by section 69 then the welcome reforms found in section 24 of the Criminal Justice Act 1988 would be greatly diminished and marginalised.

Now, with the almost universal use of word processors, if that were to be the case, almost every business document would become subject to section 69, which surely could not have been Parliament's intention when it passed that statute.

no statutory appeal against the Revenue's request for answers.

Section 98 of the Taxes Management Act 1970 showed that the taxpayer stood in danger of a penalty of £50 if he failed to respond to a section 485 notice.

The penalty was small but oppression would be incurred by a public company being subjected by penalty proceedings: see *Dyson v Attorney-General* [1911] 1 KB 410, 421; *Royal Bank of Canada v Inland Revenue Commissioners* [1972] Ch 665 and *Clinch v Inland Revenue Commissioners* [1974] QB 76.

His Lordship saw the strength of the words in *Vandervell* but saw the matter as Mr Justice Oliver saw it in *Balen* where he considered that when a question was raised as to the propriety of a determination, the court was the proper forum for the resolution of the question.

Accordingly the court had jurisdiction to hear the originating summons.

As to the court's exercise of its discretion, his Lordship would, in all the circumstances, allow the originating summons to proceed. It was plainly convenient and economic that the court should decide the point at issue at that stage rather than leave the matter to be considered by the special commissioners after the amassing of information which, at the end of the day, might be shown to have been unnecessary. Accordingly no order would be made on the originating summons.

Solicitors: Linklater & Paines Solicitor, Inland Revenue.

Document notice should be given

Regina v Blackburn
Regina v Wade

There should be either a rule of practice or a procedural requirement ensuring that proper notice be given where there was an intention in a criminal trial to take technical points such as objection to a document admissible under section 24 of the Criminal Justice Act 1988, as being inadmissible by reason of section 69 of the Police and Criminal Evidence Act 1984 to which section 24 was expressed to be subject.

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If such documents were covered by section 69 then the welcome reforms found in section 24 of the Criminal Justice Act 1988 would be greatly diminished and marginalised.

Now, with the almost universal use of word processors, if that were to be the case, almost every business document would become subject to section 69, which surely could not have been Parliament's intention when it passed that statute.

Biogen Inc v Medeva plc
Before Mr Justice Aldous
(Judgment November 13)

Although a plaintiff's patent was valid and it was infringed so as to entitle him to damages against a defendant, the court had a discretion whether to grant or refuse the plaintiff an injunction restraining the defendant from further infringement.

Mr Justice Aldous so held in the Chancery Division when refusing a motion by the plaintiff, Biogen Inc, to strike out paragraph 7 of the defence filed by Medeva plc in an action by Biogen claiming that European Patent UK Nos 0182442 and 0013828 were valid, (i) an injunction to restrain Medeva from infringing those patents, on the grounds that the allegations therein (a) disclosed no reasonable cause of defence (b) were scandalous, frivolous and vexatious, (c) might prejudice the fair trial of the action and (d) were otherwise an abuse of the process of the court.

Paragraph 7 stated: "It (which is denied) any claim of (those) patents is valid and should be infringed by the defendant or sale of (Medeva's) proposed hepatitis B vaccine... then the court in the exercise of its discretion should not grant an injunction herein which would prevent (Medeva) from manufacturing and selling its vaccine as a vaccine to any hepatitis B vaccine available or likely to be available, whether under or by licence of (Biogen) or otherwise. Grant of the injunction prayed for would lead to the loss of human life and/or avoidable damage to human health."

Neither counsel could cite any case in which the present defence had been ruled upon.

But in *Proctor v Bailey and Son* (1889) 6 RPC 538, 541 Lord Justice Cotton, after referring to the common law jurisdiction of the Court of Chancery in granting an injunction said that its practice was "preventive, and not like the common law courts, which merely give damages against the wrongdoer for the wrongful act which he has done."

There, although the defendant had infringed the plaintiff's patent, the Court of Appeal had discharged an injunction on the ground that further infringement was unlikely.

Nearer to the instant situation had been observations by Mr

Justice Grahame in *Roussel-Uclaf v C.D. Searle & Co Ltd* [1977] FSR 325, 331: "... as to whether this court ought to exercise its discretion to grant an injunction, the effect of which will deprive members of the public of the benefit of a life-saving drug."

"I think it must be a question for decision in each case, the onus being very heavily on the plaintiffs to show that there is little, if any, likelihood of the public being injured by their inability to obtain the drug in question."

"A life-saving drug is in an exceptional position... it is at the least very doubtful if the court in its discretion ought to grant an injunction and be content at present to think of any circumstances in which it should."

His Lordship was examining sections 48 to 50 of the Patents Act 1977, dealing with the grant of compulsory licences, pointed out that if the present action came on for hearing in 1988, it was possible that by then the Crown might have approved Medeva's vaccine and/or that Medeva might have applied to Biogen for such a licence under those circumstances, could the court say that Medeva's compulsory licence was a

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Refusal to stop infringement

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Time obligation

Trammo Gas and Petrochemicals Ltd v Geogas SA

When a vessel was already engaged at the time of the charterparty, or became engaged under another charter before the voyage charter commenced, there was no reason why a reasonable dispatch obligation under the terms of that charterparty should be inoperative until the vessel left the discharge port in completion of the last preceding fixture.

The right approach was to look at the combination of the expected date and the term in the charterparty that the vessel would use all convenient speed to get to the port of loading.

The Court of Appeal (Lord Justice Neill, Lord Justice Slynn and Lord Justice Hoffmann) so held on November 5 in a reserved judgment allowing the appeal of Trammo Gas and Petrochemicals Ltd, of the Bahamas, the charterers to a charterparty agreement dated January 12, 1987 with Geogas SA, from Mr Justice Webster who on March 14, 1990 had allowed Geogas's appeal of from the final award of arbitration that Geogas should pay Trammo damages for loss suffered as a result of a breach of obligations under the charterparty.

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COMMERCIAL LIT

LAW

● DIGGING FOR TRUTH 35
● OUT IN THE COLD 35



Women who have made it at the Bar: Lord Justice Butler-Sloss, Patricia Scotland, Britain's first black woman QC, and Mrs Justice Booth

Rough justice at the Bar

Frances Gibb on how 'jobs for the boys' make it difficult for women to climb the legal ladder

The Bar, one of the last bastions of male supremacy, reached what was hailed as a watershed last week when it published findings of the first survey into sex discrimination in the profession.

The report, a severe indictment of prevailing attitudes, is the first concrete evidence of "substantial and continuing unequal treatment between the sexes at many levels of the profession".

Women, it found, suffered discrimination in obtaining pupillage (training places) and tenancies (permanent seats in chambers); in the allocation of work by clerks; in earnings and in selection for promotion to senior ranks.

The statistics are salient. Although a fast-growing proportion of the Bar (women now make up 42 per cent of those called compared with 11 per cent in 1975), women barristers are not proportionately represented in the higher levels of Queen's Counsel. On the bench, there are no women law lords, one out of 26 Court of Appeal judges, four of 83 High Court judges, 20 of 406 circuit judges, 39 of 677 recorders, and 42 of 354 assistant recorders. The fault is not just with selection; women are not applying for the bench.

Just to enter the profession there are significant hurdles: women (of comparable educational qualifications with the men) have to make on average 12 applications for pupillage compared with eight by men and have more interviews (5.2 on average, compared with 3.8 for men). More than half the women were asked about future plans, marriage and children, compared with 27 per cent of men. For tenancies the figures were 39 per cent and 14.6 per cent.

Discrimination is a dirty word: no-one wants to admit it on their own doorstep. The report has been applauded by barristers on all sides of the profession. But ask a top woman barrister if she has faced discrimination herself,

and the answer is almost always "no". Like Lady Macbeth on Duncan's murder — "What, in our house?" — half the heads of chambers in the survey agreed that women were disadvantaged; but the problem, they said, was not in their own sex.

Yet to succeed, most women barristers agree that they have had to conform to a male club, have (as the survey overwhelmingly found) felt under pressure to perform better than men and felt their performance under greater scrutiny.

Lesley Holland, a principal consultant with TMS Management Consultants, Bournemouth, who conducted the survey, said the discrimination — which came as no surprise and was "no worse than in any other profession" — was not deliberate. "It is not that barristers want to exclude women. But the Bar has a set of traditions, cultures and values which quite unconsciously and unintentionally favour men and provide extra hurdles for women."

Hilary Heilbron, QC, vice chairman of the Bar's sex discrimination committee and a successful silk in the largely male area of the commercial Bar, concurs: the problems are "deeply rooted in attitudes of mind compounded by the traditions of the profession itself".

As Helena Kennedy, QC, puts it in her book, *Eve Was Framed*, the "smell of the gentleman's club permeates every crevice at the Inns of Court. The odour of exclusiveness, like most personal smells, never offends its usualers — indeed, they are usually quite impervious to it."

One significant finding from the 600 responses (from men and women) was that women blame clerks, who allocate the briefs, as one of the

main sources of disadvantage, followed by solicitors. Barristers' clerks were privately "outraged" at the findings. They do not concede they discriminate in allocating briefs and boast proudly of the women in their own sex.

But they also admit that in a recession, which makes for heightened competition at the Bar and solicitors unwilling to

'If those doing the choosing are male, then they are always going to get their own kind'

try new counsel, women, who are in greater numbers at the lower levels, will suffer from the current insistence among solicitors for counsel who are "tried and tested" and a "safe pair of hands".

Paul Shrubbsall, the chairman of the Institute of Barristers' Clerks, dismisses the allegations of bias in work distribution as generally unfair. "Obviously there must be pockets of discrimination and there must be chambers which do not want 50 per cent women. That is wrong, and needs to be addressed, perhaps through our code of conduct, to raise awareness. But it is unfair to say that a prime source of the problem is the clerk."

The Bar has taken a leap (unmatched in any other profession) in admitting, identifying and publishing the problem. Tackling it will be harder. There are some obvious steps which can be taken: a range of recommendations which include positive action such as targets for chambers, and the judiciary, to aim for, Lesley Holland

picks out selection criteria at every level, from entry to the bench. These should be defined, job-related and published, bringing more objectivity into recruitment. Some chambers, 1 Essex Court for instance, already have tests for applicants rather than the usual subjective interview. Second, there needs to be monitoring.

When it comes to Queen's Counsel and the judiciary, the survey authors felt positive action was needed to encourage women to apply, with a radical overhaul of the procedures to make them more open, systematic, objective and, therefore, fair.

Women represent only 5 per cent of all QCs: in May this year there were 41 women QCs out of a total of 760, although they account for 15 per cent of the pool from which QCs are drawn. It was only last year that the first black woman QC, Patricia Scotland, was appointed. The survey found a growing pool of women who meet the "years of call" criterion for silk, but who are not applying as often as men, relative to their numbers at the Bar.

One problem is that women still wrongly perceive earnings levels to be crucial for selection to silk, which in the past it was. (Women's earnings tend to be lower than those of men.) Another is that the age for applying clashes with child-bearing. There is also the need to be known and noticed by senior members of the profession, "the system of patronage", as the report put it.

Such a system, the "old boy network", favours men and actively discourages women, who see few role models in the higher ranks. "It is harder for women to pass the Heineken test," Ms Kennedy says. "But one can't improve things until women are involved as the

gatekeepers. If those choosing are male, they are always going to get their own kind."

Barbara Hewson, of the Association of Women Barristers, which prompted the survey, will be watching to see how the recommendations are carried forward. The Bar already has commitment in the shape of its equality committee and equality officers: one of them, Pamela Bhalia, says they are working on a new equality code which will be "promoted fairly forcefully".

Less certain is the attitude of the Lord Chancellor's department, whose brief response to the report did not pressage any willingness to consider change.

Women are in no doubt the haul will be long. But, they say, at least the report raises awareness. "The law is a very central institution," Helena Kennedy says. "This is not just about jobs for the girls. It's something much wider and more pervasive — making society just and fair."

Sex-bias ruling will make history

Next week the European Court of Justice in Luxembourg will hear a case brought by Miss Helen Marshall which raises issues of fundamental importance to the development of sex discrimination law in the United Kingdom.

Miss Marshall already has a place in legal history. In 1980, the Southampton Health Authority dismissed her from her post as a senior dietician. The sole reason for the dismissal was that she was over the age of 60, the contractual retirement age for women employed by the authority. Like many employers at that time, the authority allowed men to continue working until the age of 65.

To obtain a remedy for this blatant sex discrimination, Miss Marshall pursued her former employers from the industrial tribunal all the way to the European Court of Justice. She asserted that Community law, in particular the Equal Treatment Directive 76/207, made her employer's conduct unlawful, and should take priority over the narrow provisions of the Sex Discrimination Act 1975, which excluded any claim for sex discrimination "in relation to death or retirement".

The European Court of Justice held, in February 1986, that Miss Marshall was the victim of unlawful sex discrimination contrary to Community law. The court accepted that the directive forbids sex discrimination in occupational retirement ages, and that this prohibition is directly enforceable in domestic courts and tribunals against a state employer, which included the health authority. Parliament responded by enacting provisions in the Sex Discrimination Act 1986 making unlawful sex discrimination by any employer in relation to retirement ages.

This triumph did not fully satisfy Miss Marshall. She was uncompromising by the payment to her by the authority of £6,250 compensation, the maximum award to which a person was then entitled under domestic legislation. She returned to the industrial tribunal and established that her premature retirement had, in fact, caused her financial loss of over £19,000.

In 1990, the Court of Appeal rejected by 2-1 her argument that the statutory cap on compensation for sex discrimination is itself in breach of Community law. Last year, the House of Lords referred this issue to the European Court of Justice,

where it will be considered next week. The case is of importance because employers in the United Kingdom do not yet take sex discrimination law seriously. With honourable exceptions, they largely ignore their obligations unless and until a case is brought. They then take legal advice, and, if vulnerable, settle in the knowledge that the statutory maximum for acts of sex discrimination (now £10,000) means that the matter can be resolved out of petty cash.

Were Miss Marshall to succeed, employers would have to compensate victims of sex discrimination for the full extent of their loss or damage. This would provide a financial incentive to employers to apply the principles of equality law in their personnel decisions. For Miss Marshall to enjoy another triumph would make it much easier for other women to achieve equal treatment without litigation.

It will not be easy for Miss Marshall to win this case. The majority of the Court of Appeal found against her because of another judgment of the European Court in 1984 which held that the Equal Treatment Directive does not include any sufficiently precise provisions on sanctions which can be relied on by individuals in national courts.

However, the European Court is influenced by concepts of policy. There has been, in the past few years, a stream of decisions from the court designed more effectively to implement Community law.

The European Court knows very well that without action on its part, domestic courts are not always keen to enforce Community law. The latest example is the disappointing decision of the Court of Appeal last month rejecting a judicial review application brought by the Equal Opportunities Commission. This challenged the less favourable treatment of part-time workers in relation to statutory redundancy pay and the right to compensation for unfair dismissal. The majority of the court adopted a very narrow approach and held that there was no decision which could be subjected to judicial review by the EOC. The enforcement of what the European judges have described as the "fundamental right" to equality without sex discrimination continues to depend on individuals like Miss Marshall and the leadership of the European Court.

● The author is a practising barrister and a fellow of All Souls College, Oxford.



DAVID PANNICK QC

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Legal eye from TV

HOSTS of well-known lawyers are nursing their disappointment and lost chances for TV fame after Channel 4 last week spurned their efforts to become involved in a new series on legal affairs to be screened this spring. A small independent production company, Atlantic Eye, of Windsor, Berkshire, fought off 45 other applicants to win the commission. The editor, Adrian Milne, who qualified as a solicitor at Macfarlanes before joining the BBC many moons ago, says: "Our programme will get inside the legal process and show how it often fails the people it is supposed to serve." Mr Milne held senior editorial positions on *Newsnight*, *Panorama* and



INNS AND OUTS

Horizon. The law may be in for a saving. Channel 4 has said that no practising lawyers or anybody else connected with the legal establishment will be a presenter or part of the production team. A Channel 4 spokesman said: "The programme will be completely independent of the legal profession."

Le Squat

FRENCH law on squatting is much the same as that in the UK and has prompted the city council in Marseilles to devise a scheme to bring an end to the fear of eviction experienced by those who squat on derelict land. Instead of forcing them off, the city council will provide unfinished building shells which squatters can help to build into houses. Rents will be low and determined by, among other things, the amount of labour and other investment the squatter puts into constructing the house.

Donkey work

DO we need more radical remedies against drink-drivers? And could we learn something from the women vigilantes of the North Indian state of Manipur? Alcoholism became so rife in Manipur in the 1970s that women joined forces in large numbers to root it out. Their treatment of male drinkers is severe but reported to be effective — they tie them naked to a donkey

and parade them through the streets. Perhaps this could also solve the problem of how to entertain frustrated commuters in traffic jams.

Value added

HAS the Law Society finally admitted that it may be a little inefficient? It is advertising for a management consultant to help improve the "quality, efficiency and effectiveness of the society's services". Applicants for the £25,000-a-year job must have "at least two years experience of value-for-money studies", which, comments one member, "presumably rules out any internal appointments".

Blooming

GREEN law cases are burgeoning: the Environmental Law Foundation last week celebrated its first year, and in that time it has received 255 applications for advice. Of these, more than a hundred cases have been referred on to solicitors. There are now 151 solicitor members.

Workload

WILL the sight of assistant solicitors and pupil barristers trailing along behind their seniors, lugging small legal libraries, soon be a thing of the past? Under new regulations which come into force on January 1, employers will face strict requirements where work involves the hazardous manual handling of

loads. The new rules will govern officers and services as well as the more traditional forms of manual labour. They also recognise the risks of cumulative injury. There are also new rules covering the use of computer display screens.

Police custody

MANY people still think that the police are obliged to return the estimated 43,000 children who run away from home every year to their parents or guardians. But the police have confirmed that the way they treat runaway children has changed since the Children Act came into force a year ago. The police are no longer automatically returning runaways to their parents or even to care. The act has limited the powers of the police to cases where the child is at risk of suffering significant harm, and even then they need not return the child and need not disclose his or her whereabouts, but may simply offer protection.

Engaged

FEMALE barristers are as vain as their male counterparts and bask in the limelight of TV cameras as a young journalist from a legal magazine found to her chagrin last week. The hack was desperate to go to the lavatory before a press conference on the Bar's survey on sex discrimination. She found the lavatory occupied by female barristers busy applying make-up before being caught on the TV cameras.

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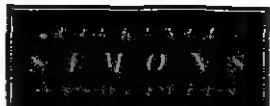
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THEATRE: Kenneth Rea meets the Japanese director Yukio Ninagawa, on a brief visit to London

Midwife to a universal message

Foreign directors have made a huge impact on the British theatre scene over the past decade, but few of them have stirred audiences as much as Yukio Ninagawa. Since his samurai-style *Macbeth* became the sensation of the Edinburgh Festival in 1985, Ninagawa's Japanese company has returned, notably with *Medea*, *Suicide for Love* and *The Tempest*, to a mounting wave of international acclaim.

On Thursday his Noh-inspired version of *The Tempest* can be seen in London for the first time when the company gives four performances at the Barbican Theatre. This short visit marks both a new policy for the Royal Shakespeare Company, which plans to host more foreign companies in future, and a second beginning for Japan's most famous director.

Ninagawa made his name by giving western classics a distinctly Japanese flavour, thereby throwing fresh light on familiar plays. *Macbeth* became an exquisite ritual witnessed by two old women outside a Buddhist temple. *Medea* drew on the voluptuous bravura of Kabuki acting. And Ninagawa placed *The Tempest* on the Japanese island of Sado where a group of exiles enact the play under the guidance of their director who also plays Prospero.

"There's a great theatricality and sensuality about his work," says RSC director Adrian Noble, who invited Ninagawa to the Barbican. "And an exoticism that actually chimed with something central to those great passions of Shakespeare. We tend to think of everything as being English, which it isn't. Take *The Tempest* — an island off the coast of Italy. Or 15 locations in the Mediterranean for *Pericles*. Or a gloomy castle off the Danish coast. They're quite exotic, rather romantic landscapes."

The special quality of a Ninagawa production is its emotional intensity, though this is achieved as much through the masterful blending of music, light and visual images as through the acting itself. Ninagawa has the knack of tugging at the heartstrings with unabashed romanticism, while stopping just short of an all-out wallow in sentimentality. The result is an unforgettable theatrical magic that seems to have been



Yukio Ninagawa: "The director is the first audience. I try to produce something unlike anything anyone has ever seen before"

I always tell my actors, the text is the mother, the actors are the father. The child they have is the play

dragged up from the depths of his soul. In *Macbeth* he used the music of Fauré's *Requiem* and falling cherry blossom, that gradually changed from white to red, to underpin the hero's fate. In *Suicide for Love* it was a long and turbulent snowstorm that finally buried the tragic lovers.

"The director is the first audience," says Ninagawa. "I try to produce something unlike anything anyone has ever seen before. I always tell my actors, the text is the mother, the actors are the father. The child they have is the play. My role is that of the midwife — to deliver a healthy child. If I can achieve that and see something I've never seen before, then the pain is worth it."

Directing plays is surely one of the most stressful jobs around. To look at the tall, quietly-spoken Ninagawa, you could be forgiven for wondering how he has had the resilience to stand up to it, especially as his productions are conceived

such a lavish scale: *Suicide for Love*, at the National Theatre three years ago, had a cast of 72.

"Since I became a director, there hasn't been a time when I didn't have a pain in the stomach," he says. "Then after *Suicide for Love* in London, my body finally gave out. The day after I got back to Tokyo I was vomiting blood. I had always had trouble from bad stomach ulcers, but now I had to have an operation. And that has changed me."

Then, the way I direct is slowly changing. It is not the same as before. I think I have become very pessimistic about life. Now I am beginning to look at

life in a more favourable way."

One way Ninagawa's born-again phase has shown itself is an eagerness to work with younger actors. Another characteristic of the new Ninagawa is a move away from grandeur and spectacle. *Tango at the End of Winter*, Ninagawa's first production with English actors, which starred Alan Rickman and Suzanne Bertish, was conceived on a more intimate scale than most of his other work, and currently Ninagawa is rehearsing a production of Chekhov's *Three Sisters*, designed to fit in a very small theatre.

"I feel as if I have a second stomach," says Ninagawa. "It's a

second chance for me as a director and I feel I will be different."

It was in this spirit that Ninagawa threw himself into rehearsals for the revival of *The Tempest*, eager to test whether his earlier vision of the play stands up to his new values. Why is he constantly drawn back to Shakespeare? "Playwrights, especially in Japan, can't write very well about what's going on today, so directors turn to Shakespeare where there is a humanity and universality," says Ninagawa. "When I choose to direct a Shakespeare, I'm looking for the most universal plays, which can have a resonance in Japan. And when touring abroad I test whether they are universal for the rest of the world."

"When I first read *The Tempest*, in my early twenties, I thought it was very mysterious. When I reread it years later, I felt deeply impressed by it. I felt then that this was a story about how people made peace with the world. For example

Shakespeare says, 'All the world's a stage, and all the men and women merely players.' By seeing Prospero as a director I thought I might explore the idea of how people make peace with the world. And when you think of it like this, it becomes a story about ourselves. That was why I decided to direct *The Tempest*."

"Then there was the problem of Japanese people doing Shakespeare. How should we understand it? Prospero has been exiled to an island. In Japan that becomes more familiar if the island is Sado where many Japanese criminals and outlaws were exiled. That's also where Zeami, the father of Noh theatre, was exiled. On Sado, even today, there are more than 30 Noh stages. So in order to understand the universality of Shakespeare we had to set the play in Japan."

His sounds all very sensible, but the context of theatre in Japan is not necessarily receptive to such carefully thought-out concepts. Because the very young are the ones with the time and the money in Japan today, they make up most of the theatre-going public. And they are usually catered for with inane productions that rely on frenetic energy and an unremitting barrage of sensation rather than clear thought. The 50-year-old Ninagawa and his contemporaries are seen as very much the older generation.

Significantly, Ninagawa's most famous production, the samurai *Macbeth*, was received coolly by Japanese critics before it reached Edinburgh. For them it was not "Shakespearean" enough, meaning that it should have looked more western.

Ninagawa dismisses this with impatience. "Japan is just a tiny village in the rest of the world," he says. "And there are many people there who think they are very important in that little village. But I feel we have to destroy the village mentality and bring fresh ideas from outside. We have to break down the walls and place the village in the world. So I see my visits overseas as a chance to bring fresh air back to the village."

● *The Tempest* is at the Barbican (071-638 8891) Thursday, Friday at 7.15pm and Saturday at 2pm and 7.15pm

NEW MUSIC

Novelty and some dramatics

A MOMENT of high extra-musical drama touched the closing weekend of the Huddersfield Contemporary Music Festival. It happened when Luciano Berio, conducting the BBC Philharmonic Orchestra in his *Sinfonia*, the climax to a concert devoted to his work, stopped after the first movement to complain about the inadequate level of amplification provided for the voices of Electric Phoenix.

After this episode concentration understandably slackened, and the second movement, that haunting homage to Martin Luther King, came close to disaster. But the singers recovered and the work survived well.

The concert in any case had been hastily re-structured because of the cancellation of the planned performance of Berio's new *Otarion*. Instead the soprano Luisa Castellani began the evening with *Sequenza III* (1966), as flexible with face and hands as with voice, and then, with a chamber group from the BBC PO, took the solo soprano role in Berio's elegant memorial for Bruno Maderna, *Calmo* (1974). Judith Rees joined her to lighten the atmosphere with the evergreen and inventive arrangements of Folk Songs (1973).

In a way Berio represented the middle ground at this year's festival: his music is at once cerebral and theatrical. A recital devoted to Klaus Huber's work, given by the German chamber group Ensemble Recherche, showed another composer of intellect who demands much from his listeners. But Huber is also a poet in sound, as this concert revealed. Magali Schwartz, a mellow-voiced singer utterly in control of her instrument, gave an early cantata, *Auf die ruhige Nachtzeit* (1958), as exquisitely as its post-Webernian delicacy deserved. The contemplative if often melancholic mystique of later works, such as *Fragmente aus Frühling* (1987), *Schattenblätter* (1975), and especially the subtitled *Des Dichters Pfug* (1989), testified amply to Huber's stature.

For the festival's final concert, given in St Paul's Hall by the London Sinfonietta under Diego Masson, the accent was on British music, though it ended with Xenakis's powerful *Thalies* (1984). Simon Bainbridge's energetic *Concerto in moto perpetuo* (1983), Jonathan Lloyd's cleverly obsessive *Waiting for Gogo* (1981), and Mark-Anthony Turnage's ferociously assertive, kaleidoscopic *On All Fours* (1985) — sat beside something new, Colin Matthews's *Contrailow*. Here a gruffly energetic Scherzo and Trio is countered with a slow reprise in reverse that exposes deeper ramifications.

At the Royal College of Music, the RCM Twentieth Century Ensemble last Friday gave a bold concert under the direction of Timothy Bond and Edwin Rossborough. There was a brave stab at Schoenberg's First Chamber Symphony and a strong reading of Messiaen's *La Ville d'en haut* (Hosokawa was the solo pianist). But the chief interest lay in the first performance of John Lambert's *Accents*, the fourth of an intended set of five chamber concertos collectively entitled *See-Change*, ideally to be performed at one sitting. Lambert, now in his sixties, has no publisher, and insufficient performances to his name. As *Accents* showed in its complex transformations of rhythm and tempo, he has much to say and he says it with courageous lack of compromise.

NOEL GOODWIN

STEPHEN PETTIT

Breaking point

LYAL. Watson's incisively written play contrasts the impersonal process of the law with the heartache of the human problems it addresses. He reveals the passions that seethe under the smooth phrases of officialdom, and the tragedy underlying the arid words of a divorce.

The four actors are on stage throughout, divided into couples. Sally and Paul are breaking up, each sit with a lawyer, she with an avuncular traditionalist, he with a sleek wit-kid woman solicitor who frequently refers to the vast sums her client is paying to get the best.

Sian Edwards's direction for Trampoline Productions has the confidence to keep movement, lighting effects and overt theatricality to a minimum. The estranged couple occasionally brawl the stage, sometimes meet; but the drama comes from the relationship recollected not in tranquillity but fury, bafflement and resignation; and, a descendant of irony, the solicitors' knotty to each other: formal, sometimes tetch within the conventions of legal language.

Two important characters are constantly referred to but unseen:

Six Fools
Old Red Lion,
Islington

the children whose welfare is used as a tool, a weapon, a currency for barter as their parents gore and harry each other.

Here the play's intended impact is slightly blunted, since the parents are genuinely concerned for their daughters. One can only wish all marital splits showed as much love for the children.

This is thanks largely to the playing of Julia Watson, whose Sally is a woman distraught with grief, spitting out the venom that bespeaks wounded love. The author is painfully accurate on how jealousy demeans. Benny Young's adulterous Paul conveys the ecstasy and agony of middle age sexually infatuated with youth then abandoned by it, though he is the victim of some pseudo-poetic writing and a needless twist of the plot.

MARTIN HOYLE



Julia Watson plays Sally, "a woman distraught with grief, spitting out the venom that bespeaks wounded love."

RECITAL: Cecilia Bartoli at the Wigmore Hall

Sunny afternoon

TODAY'S Rossini singer par excellence, Cecilia Bartoli devoted her programme entirely to that composer in a bicentennial homage at the refurbished Wigmore Hall. On a drab November afternoon it was like hearing a voice of blue skies and warm sunshine.

She is the most accomplished coloratura mezzo since the much-loved Teresa Berganza, with an almost faultless technique that, on this occasion, seemed to be lifting her voice more into the soprano range. Yet it is firm and well-supported, from high to low, with a strong chest register on which Rossini so often depends for eloquence of colour and feeling.

This shone through as she followed an opening group of songs that owed much to the rhythmic impetus of her attentive piano partner, György Fischer, with five successive Rossini settings of the same *Menestasio* verse, "Mi lagnerò tuendo", requiring the singer to declare "I shall suffer merrily" while doing the opposite.

She had fun with the flirty humour of "La regata veneziana", voicing encouragement for her favoured gondolier with dramatic feeling, and the kind of vocal allure in Venetian dialect that put the character in front of us as if she had been in costume.

But the major operatic items stand testimony to a composer who could design his music for a greater splendour of vocal beauty, as in a dazzling aria for the goddess Ceres in *Le nozze di Teti e di Peleo*, and especially in the great set-piece aria from *Semiramide*, "Bel raggio lunghier", where the vocal runs and roulades glided enchantingly, save only for a somewhat effortful trill.

The audience called the singer back for three encores before they would let her go, among them a sudden unexpected switch into Mozart for Cherubino's "Voi che sapete", sung with elegance of style as well as feeling.

NOEL GOODWIN

STEPHEN PETTIT

DANCE: Nadine Meisner on *Modern Living*

Well travelled partners

THE dancer Lauren Potter was approached first, by Nottinghamshire County Council's New Arts Work commissioning programme. They invited her to join in a creative collaboration with two jazz composer-musicians, the saxophonist Andy Sheppard and Brazilian percussionist Nana Vasconcelos. But what about a choreographer? She suggested Jonathan Lunn, with whom she had often worked.

The result brings together top-notch artists and calls itself *Modern Living*. Premiered in Nottingham, it is in Birmingham (Midland Arts Centre) tonight and tomorrow, and reaches the Queen Elizabeth Hall on Saturday and Sunday. At the Gardner Centre, Brighton, where I saw it, the sense was of a completely equal partnership, with the musicians prominently active on stage. They move around and play a medley of instruments: understated wind ones for Sheppard as well as his ordinary saxophone; an even more extraordinary range for Vasconcelos, who manufactures bravura sounds with drums, metallic objects and his own voice and hands.

The two men are supplemented by Steve Lodder who sits with his synthesizer behind a cut-out window in the back wall. Peter Mumford's set transforms the stage floor into a flat central square surrounded on three sides by a tiled ramp. The dancers enter and leave through a back door or, in the case

of Jordi Cortes Molina, along a ledge.

Molina is the first dancer on stage, arriving to sort through a precarious mound of office files. Supple and expressive, he is one of a quartet of excellent dancers. There is Lunn himself, Kerry Woodward whose long, classical lines are exploited in dancelike solos and Potter. Her state of early pregnancy in no way detracts from her gift for legible graphic shapes. Lunn's choreography reveals another facet of his preoccupation with communication: he treats movement almost as a form of speech. The vocabulary looks more gestural than anything he has done before, everyday movements accumulating into elaborate edifices. An ensemble set-piece that ends the first half is a *tour de force*, the dancers sitting round a table and unravelling their movements like a conversation. Innumersantly they all lift their faces upwards, as though following the passage of an airplane, the music evoking a soaring engine.

At times either the dance or the music stands on its own. When the two come together, though, the close creative rapport is evident. *Modern Living* is a perfect fusion of sight, sound and movement that offers the extra pleasure of live interaction on stage. Accompanying performances is an exhibition of drawings of the rehearsals by Carol Glover.



Jordi Cortes Molina: Supple and expressive, he enters along a ledge, to sort through a precarious mound of office files

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MUSIC page 30
Sir Colin Davis leads the
baton charge in the
Barbican's festival
of Scandinavian music

ARTS

THEATRE page 31
A Tempest from Japan:
Yukio Ninagawa brings
his Noh-inspired
Shakespeare to London



Line up for the festive turkey trot

Christmas is coming and the bookmakers are taking bets on which record will be this year's seasonal No 1. David Sinclair sorts the runners from the non-starters

Back in the summer of 1942 Irving Berlin sat at the piano and played his new composition to Bing Crosby. Crosby removed his pipe and gave a typically laconic verdict: "This one you don't have to worry about." The song was "White Christmas", and Crosby was right.

Some estimates put its worldwide sales as high as 30 million copies; only Michael Jackson's album *Thriller* has sold more. And since its release, singers, songwriters and record company strategists have never stopped seeing a glimpse of the prospect of a Christmas hit.

In Britain speculation as to what will be the Christmas No 1 has become a national pastime. Since the early 1980s, the bookmakers William Hill have given odds on which song will top the chart during Christmas week. The total amount likely to be wagered this year will be in the region of £50,000, a sum broadly comparable to that gambled on the Booker Prize or the Oscars, although a drop in the ocean compared to a big horse race.

Strangely, the keenest interest in predicting which single will top the chart at Christmas, the fewer songs with an overtly seasonal message seem to appear in the running. True, Cliff Richard has romped home in recent years with two of the most nauseatingly starchy Christmas songs ever penned ("Mistletoe and Wine" in 1988 and "Saviour's Day" in 1990). But of this year's main contenders it is only his "I Still Believe in You" which makes any reference whatsoever to Christmas.

But there are certain ingredients which are traditionally required of the most successful song at Christmas. A tragedy is good for business at any time of the year, but seems to acquire a special resonance during the festive season. Freddie Mercury

is currently favourite to prevail in 1992 with "In My Defence", a spectacularly mawkish tune from the musical *Time*, released on the first anniversary of his death.

Indeed, the Grim Reaper is a far more reliable harbinger of the Christmas No 1 than Santa Claus. Last year, William Hill wisely closed the book as soon as it was announced that, in the wake of Mercury's demise, Queen would be releasing "Bohemian Rhapsody" with all proceeds going to charity.

Death and the charitable instinct were in large part responsible for

the staggering success of Band Aid's "Do They Know It's Christmas?" in 1984. Thanks to the blanket success of this song, hungry mouths were fed and the bookies suffered their worst result ever. In Britain it has eclipsed even "White Christmas", and with sales in excess of 3,500,000 remains far and away this country's biggest-selling single to date.

In 1989 a different cast, Band Aid II, revived "Do They Know It's Christmas?" and it topped the chart again. But this year it is Michael Jackson's "Heal The World" which

conforms most closely to the universal message-cum-charity-song stereotype.

Novelty records traditionally fare well at Christmas, and it could well be the musclebound hulks of the World Wrestling Federation Superstars — a sort of human equivalent of the Mutant Ninja Turtles — who take the honours this year with a suitably inane Stock/Waterman-produced rap-mantra called "Slam Jam". On the other hand the nostalgia card is always a strong one to play, and Jason Donovan has not spared the horses in his breathless bid to drive a reheated version of the Herman Hupfeld standard "As Time Goes By" (from the movie *Casablanca*) to the top. Who is buying all this stuff?

CHRISTMAS ODDS

1. FREDDIE MERCURY
In My Defence
(9/4 favourite)
2. ROD STEWART
Tom Traubert's Blues
(3/1)
3. WWF SUPERSTARS
Slam Jam
(6/1)
4. WHITNEY HOUSTON
I Will Always Love You
(7/1)
5. MICHAEL JACKSON
Heal The World
(10/1)
5. JASON DONOVAN
As Time Goes By
(10/1)
7. CLIFF RICHARD
I Still Believe in You
(12/1)
8. NICK CAVE/
SHANE MACGOWAN
What A Wonderful World
(33/1)



Freddie Mercury: 9/4 favourite for a Christmas No 1 with "In My Defence", a spectacularly mawkish tune from the musical *Time*

Unlike the album market, where there is a huge upturn in sales in the run-up to Christmas (40 per cent of last year's album sales took place during the last quarter) sales of singles remain fairly constant throughout the year (28 per cent during the last quarter of 1991). But, as one record company representative candidly explained: "An army of gift-hunting, *Daily Star*-reading C1s and C2s is on the march, all keen to make their only record purchases of the year."

Contrary to popular belief, sales of singles are once again increasing at a steady rate (currently up 12 per cent on this time last year, an astonishing upturn, given the recession) and the awful thought occurs

that the Christmas chart might be a truer reflection of "real" public taste than the charts for the rest of the year. Anecdotal evidence has long suggested the existence of a huge market of potential buyers with middle-of-the-road tastes who are poorly serviced by the music industry and the media alike. They listen to Radio 2 and have helped to make records by Bryan Adams and Extreme even bigger hits than they would have been anyway. Perhaps Christmas is the one time of the year when they finally get their say. If so, who will be the people's choice of 1992? Although I harbour a sneaking admiration for

Rod Stewart's highly calculated version of "Tom Traubert's Blues" (an old Tom Waits song), dispassionate analysis of the field reveals that the record which most closely conforms to all the requirements of a Christmas No 1 is Nick Cave & Shane MacGowan's version of the Louis Armstrong song "What A Wonderful World".

The novel combination of the saturnine Australian and the dementally-challenged ex-Pogues frontman is a pairing in the grand tradition of festively converted duos like David Bowie and Bing Crosby ("Peace On Earth/Little Drummer Boy", 1982) and Roger Whittaker and Des O'Connor ("The Sky

Boat Song", 1986). The song itself has a suitably nostalgic cachet and its lyric chimes with the season of alleged good will.

But it is the final element of tragedy, furnished by the monumentally inept performance itself, which could well make this a surprise winner. Tunelessly mumbling, croaking and wheezing their way through the song like two old soaks at the wrong end of a karaoke evening, Cave and MacGowan evoke a horrific yet fascinating splendour that could well provoke the kind of massive charitable outpouring not witnessed since the days of Band Aid. At odds of 33/1 it could be worth a flutter.

TELEVISION

Ideals without a home

Whatever else Lady Thatcher did for British television, she certainly left its documentary-makers plenty to be getting on with. Hardly a week passes these days without a "Britain divided" film of one kind or another, over which the social policies of the deposed prime minister always cast an implicit shadow. Underclass television has become a genre in its own right.

Last night's *World In Action*, *Who cares?* (ITV), was an honourable example of the format, transcending its sloppy title to shed intelligent light on the fate of children leaving care. Seven young people aged 16 and 17 were tracked through a year of difficult adjustment from institutional life to unsteady independence. As an insight into the life chances of the 8,000 children in the same situation, this was depressing viewing.

On leaving care, Paul, one of the seven, had been given a council flat and a £500 furnishing grant. The wood was rotten, the windows blown in and the heating broken, but this did not seem to diminish the sudden thrill of self-sufficiency. He talked with unconstrained optimism about becoming a businessman and buying his own place. By the end of the programme, however, Paul was under 24-hour supervision, driven out of the estate by sexual abuse. The council was sympathetic, but he was clearly back to square one.

Here, in a mundane setting, was Primo Levi's grim division of humanity into the drowned and the saved. On the one side of the divide was Genevieve, proud of the stark high-rise flat which she had turned into a real home, and raring to go on college courses.

On the other stood the forlorn figure of Darren who predicted calmly that in a year he would be "locked up somewhere". Asked what his hopes were as he dragged himself out of another temporary bed, he said: "To get something better sorted out for Friday". By Friday, he was sleeping on a park bench, sliding into a squalid pit of drugs and crime.

Local authorities are required by the Children Act to monitor care-leavers but *World In Action*'s own survey found that 73 per cent of councils could not afford to do so. That is an alarming figure which next week's follow-up programme would do well to analyse: how does it compare with government claims, and how could current spending be made more efficient?

But I was more struck by the language which these teenagers spoke: they wanted to buy their own homes, support their own families, start their own businesses. They were, in fact, Thatcher's children, full of the ideals which she impressed on this nation, but wondering what on earth they were supposed to do next.

MATTHEW D'ANCONA

Angela Wigglesworth on a new work of art commissioned for Hereford Cathedral

Crowning the cathedral's glory

A few years ago Hereford Cathedral received a legacy from Dorothy Strong, Sir Roy Strong's sister, to buy a work of art to hang in the cathedral. It launched a national competition to find one, with a £50,000 prize for the winner and, from more than 20 entries, chose a design for an 18ft by 9ft oval corona (or crown) set with candles, to be suspended high above the sanctuary altar.

It was submitted by a 36-year-old silversmith, Simon Beer, and is the first corona to be made for a cathedral this century. There will be a service of dedication for it in the cathedral on Saturday.

"I felt I was a real outside horse," Beer admitted from his workshop in Lewes, East Sussex. "I'd made teapots, chalices, rings, cutlery and an Amnesty candlestick in Salisbury Cathedral, but nothing higher than 2ft."

The brief was for a work of art "to convey a transcendent message of radiance, joy, hope and confidence" and the idea had come from the late Bishop of Hereford, John Eastaugh, who felt the cathedral lacked any "prominent manifestation of joy". Dorothy Strong's legacy made the competition possible and in March 1991, two years after the Bishop's death, the Friends and the Dean set up a working party, which included experts in ecclesiastical art, to recommend an artist from a range of media.

John Champion, chairman of the Friends, explained why they chose Beer's design. "Whereas



The Dean of Hereford and Simon Beer with the new corona

other entries — large paintings and sculpture — seemed to overpower the cathedral, the corona had a kind of transparency and lightness which enhanced it. It also had a feeling of hope and joy which was the object of the exercise."

Beer said the idea of a crown had come to him in the cathedral itself. "When I first went there, I was completely overwhelmed. It was so big and splendid and I was very nervous at the thought of suggest-

ing a work of art for it." But on a subsequent visit, he went to the cathedral and walked around the building to get the feel of its space and architecture.

It was then, he said, "that the thing started to gel. I think it was the shape of the Romanesque arches and decorative stonework that gave me the idea of a crown. Later, I began to think of it as part of the stonework itself, just not so dense, something that let the light

through, with the gold on the corona reflecting the cathedral, bright in places, dark in others."

It took six months to make the crown of double-decked metal chevrons in gold and silver finishes, and it will be suspended from the cathedral roof by almost invisible steel threads; but it took 18 months for the Friends to steer the design through numerous cathedral committees whose approval was essential. At the last minute, there was concern about wax dripping from the candles and Beer fixed up a trial sample. "The committee came to see it and I knew in two minutes all was well. They just said 'fine' and walked off to discuss the next item on their agenda. It was almost an anti-climax."

The chance to research something so deeply has been immensely enjoyable, says Beer, a Freeman of the City of London and of the Worshipful Company of Goldsmiths. "I've also been very touched by the degree of hope and belief from those who commissioned me."

Now, he says, he cannot wait to get the corona hung, and walk out of the cathedral knowing his responsibility for it is finished. "Then I'd like to go back and look at it objectively as a visitor would, sweeping away all the work that's gone into it. I was determined that it would be good, of course, but there's always the surprise element at the end, with things you can't know about beforehand, like its reflective qualities, how it feels, and whether it does work."

Tutus, tights and tiaras for the Foreign Office carnival

FOREIGN Office mandarins are accustomed to executing nimble footwork, of course. But this Thursday, for the first time, they will be welcoming a real ballet company into their hallowed inner sanctum. English National Ballet is to hold a charity Nutcracker Ball there, in the presence of the Princess of Wales, to mark the 100th anniversary of Tchaikovsky's ballet, and to raise money for both itself and the Stepping Stones (Peto UK) Appeal for cerebral palsy.

ENB is building a stage in the Durbur Court, the Foreign Office's inner covered courtyard. Under the stern gaze of the statues of Clive of India and Warren Hastings, the 300 guests, who will be paying £500 each, will see highlights from ENB's production of *The Nutcracker*, with new costumes for the Waltz of the Flowers specially designed by fashion king Christian Lacroix for the occasion.

After dinner comes the Nutcracker Carnival, which draws on the history of the ballet to present authentic Chinese, Spanish and Arabian dances — not the more familiar choreographed versions we are used to from the ballet. The evening's finale features the Carnival of the Animals, choreographed by Wayne Sleep to specially commissioned music by Pantelis Vassiliadis. That will be performed by Sleep and students from the company's school. The Durbur Court, four storeys high and surrounded by balconies, has previously only been used for state functions. ENB's own production of *The Nutcracker* opens for its



traditional Christmas season at the Festival Hall on December 21.

● FRANK McGUINNESS's play *Someone Who'll Watch Over Me* opened on Broadway last week to mixed reviews, with the *New York Times*'s chief theatre critic, Frank Rich, calling the hostage drama "sporadically amusing without being riveting, moving or particu-



Christian Lacroix: new frocks for Foreign Office Nutcracker

larly credible". But as was the case with another Irish play, Brian Friel's *Dancing at Lughnasa*, last autumn, *Someone* has one built-in advantage: as the first serious new play to open this season on Broadway, it may attract by default what is left of New York's theatregoing public.

Fluff's finale

AFTER three decades, the cheery cry of "Greetings, pop pickers" will be silenced forever. Alan Freeman, one of the first BBC disc jockeys and, at 65, one of the longest-lasting, is to end his 30-year stint on Radio 1's weekly *Pick of the Pops* at the end of the year, although "Fluff" will continue with his *Rock Show*. The last of his Sunday-morning shows will be on December 27.

Last chance...

THE pre-Columbian civilisation of South America sometimes seems so remote that it might belong on another planet. But if the human content of the sculptures and other artefacts in "The Art of Ancient Mexico" remains largely mysterious, there is no missing their extraordinary formal qualities and extreme sophistication of techniques. The interiors of the Hayward Gallery (071-928 3002) at the South Bank have been transformed to show them off to best advantage, and a show of Bridget Riley's work in the last decade is thrown in for good measure. Both run until Sunday.

PUBLIC MANAGEMENT

Staring back at Big Brother

Public scrutiny of government agencies will bring benefits to all, says Edward Fennell

As the disclosures concerning sales to Iraq of machine tools with military applications continue to rock the trade and industry department, there is a certain irony in the fact that a couple of weeks ago an executive agency of the DTI, the National Physical Laboratory, won an award for its annual report to the public.

Designed to encourage efficiency in government, the publication of annual reports by about 50 executive agencies was made obligatory three years ago as part of the "Next Steps" programme. Equally important, however, was the drive to expose the performance of civil servants to public scrutiny. It also removes the cloak of confidentiality from routine government services.

John Wynn, a partner with the accountants Price Waterhouse which organised the awards, says: "The publication of annual reports by agencies marks an important step in openness by government."

The agencies have to release details of how they manage their finances and achieve (or fail to achieve) their targets. The significance of these disclosures goes beyond the reporting process itself. Supporters of "Next Steps" argue that annual reports embody the drive for governmental organisations to become more businesslike in their operations. They provide a constant reminder that every activity undertaken and all funds spent may have to stand examination from Parliament, the press and the public.

Such a stimulus helps to concentrate the mind marvelously. Dr Peter Clapham, the chief executive of the National Physical Laboratory, says: "In the old days, particularly in the 1960s when money was plentiful, it was pretty easy to obtain a new piece of



equipment whether or not it was really needed. Now, however, everybody asks themselves whether such purchases are necessary in the context of the organisations' objectives."

Systematic target-setting and performance measurement are critical to the programme's effectiveness. If the annual reports are to have any value, then agencies must come clean about their failures as well as trumpeting their successes.

There is a lot to be admired in the honesty of this year's "Recruitment and Assessment Services" report, for example, which lists in detail 25 targets for 1991-2 and then concedes that nine of them were not achieved. In the catalogue of failure, even four of its six key targets were not reached. Its attempts to fill 5,000 vacancies

fell short by over 2,000. And rather than increasing its productivity by 6.8 per cent (as the target demanded) output actually fell by more than 9 per cent.

Such admissions, at this stage in the process, are not necessarily indications of organisational incompetence. In many cases, they may be the start of a new hard-headedness in setting realistic targets within the resources available.

In general, the reports are still a little too complacent in tone. As Price Waterhouse commented in its analysis, many agencies are failing to produce a clear statement of their performance by comparison with their objectives.

Taking the entries for the competition as a whole, the annual reports reveal that agencies manage to perform broadly

in line with their 1991-2 targets. Mr Wynn says: "But, at a time when private sector businesses are experiencing so much difficulty, their apparently good overall performance suggests that they are not yet fully exposed to the market."

So, if the full benefits of "Next Steps" are to be realised, the quality of management within the agencies needs to be tightened still further, and better comparative measures must be provided through the reporting system.

Yet, despite foot-dragging by some agencies, supporters of the changes are confident that a genuine cultural turn-around is being achieved. And, to complement that change, Dr Clapham envisages that, over time, the

agency reports will become increasingly like those of public companies.

"On the whole, company reports are positive and up-beat in style, but that is not always the case. When conditions deteriorate, then you expect to see that coming through. The same may apply to us. There could be a point in the future when I use my report to express anxieties about how things are going."

Gloomy annual reports, however, may not necessarily be bad news for the agencies. Those reports which demonstrate good husbandry but disappointing results should serve as a powerful public argument for increased resources. They might become rapier for the agencies' defence rather than rods for their chastisement.

We are worthy of our hire

The government's decision to restrict public-sector wage increases to 1.5 per cent in the 1993 pay round may cause more than short-term strife. It could also have the most damaging effect on the management of the public sector, and the performance of public services, an area which Majorism has claimed as its own.

When the Conservatives came to power in 1979, the power of the centre over pay and conditions in the public services was tyrannical, whether exercised by the Civil Service Department directly or by the Treasury in relation to the nationalised industries and local authorities. The terms and conditions of every public sector worker were minutely scrutinised.

Despite the hundreds of grades, each attracting its own special terms of service, the arrangements were across the whole of the public service, inflexible and oriented only towards career structures which, except at the very top, inhibited achievement and innovation. Everyone received the going rate.

Much of that has changed in the past 13 years, sometimes by accident and sometimes by design. Whatever the cause, both the Thatcher and Major governments have actively encouraged the substitution of regional and local pay-bargaining for national agreements, the recruitment of key people according to market rates, the loosening of controls from the centre through the establishment of independently-managed agencies, and, above all, the introduction of performance-related pay.

All this is now in reverse. The first signs of a sharp step back in government thinking were taken in the summer with the rejection of the Top Salaries Review Board report into the pay of senior civil servants and the judiciary.

After extensive research the review body came to the conclusion that salaries in the civil service from

under-secretary upwards were between 39 and 45 per cent of the private sector market rate. However, the recommendations of the review board were rejected, and there are even those who believe that the 3 per cent increase agreed by the government from April 1993 is too much.

But there are reasons deeper than immediate economic gains why we should be concerned about the government's deliberate decision to devalue the work of its own employees.

In relation to the civil service, how can ministers look to advisers on whom they rely ever more heavily to protect them from the perils of their own policies, having, in the case of under-secretaries, arbitrarily robbed them of their pay increases?

Did ministers give no thought to the impact of their decision not only on current senior civil servants, but on those who are coming up the ladder or who are being recruited? Now that the near-freeze has been extended across the public sector, what about the impact on middle management in the local authorities and the National Health Service?

Nor does the argument that public sector jobs are safe wash any longer. Cuts in central government will severely restrict promotion opportunities. Initial estimates suggest that about 12,000 jobs in the inner London boroughs alone will have to go over the next year, and that metropolitan authorities as diverse as Birmingham and Sheffield are said to be looking for large cuts in staff.

With so little flexibility around an effective pay freeze, we run a real danger of returning to a new form of sclerosis in the public sector. With so little incentive, once the recession abates there is bound to be an exodus of the brightest and the best. That is the logic of the market.

● The author is director of the Institute of Revenue, Rating and Valuation.



COLIN FARRINGTON

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Salaries will be in the range £39,339 to £51,540. These London-based appointments will be for a period of 3 years initially, with the possibility of extension to 5 years and could be on loan or secondment terms. The successful candidate for the social security post will be expected to take up appointment by the start of April 1993 (or as soon after as possible). For the taxation post the preferred starting date will be July 1993.

For further information and details of how to apply, write to Tracy Young, Office of the Parliamentary Commissioner for Administration, Church House, Great Smith Street, London SW1P 3BW or telephone 071 276 2087 (on 24 hour answerphone). The closing date for applications will be 8th January 1993.

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We are seeking a dynamic and self-motivated individual who will play a leading role in ensuring that the Trust promotes and develops improved client/patient services. Sound relations will need to be developed with General Practitioners, and health care commissioners to ensure that their needs are reflected in the range and quality of services which the Trust provides.

You will report direct to the Chief Executive, and will produce and implement marketing and business strategies which take full advantage of the opportunities provided by the challenging health environment to best position our services. In addition, you will develop effective public relations and communication arrangements.

You will have an impressive track record of achievement in marketing and business management, planning and development, preferably gained in a large multi-disciplinary service orientated organisation. Creativity, entrepreneurial flair and commercial acumen are crucial together with drive, initiative and the proven ability to lead whilst remaining an effective team player.

For an application pack please contact: Rachel Hardy, Personnel Department, Greenwich Health Authority, Memorial Hospital, Shooters Hill, London SE18 3PZ. Tel: 081 312 6467.

Closing date for receipt of completed applications: 21st December 1992.

We welcome applications from all sections of the community.

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Applications are invited from experienced midwifery educators who are interested in influencing the future strategic direction and policies of this forward looking college which is soon to become a Faculty of the University of Greenwich.

You will take responsibility for leading a substantial aspect of the work of the Post-Registration School of Health Care Studies and a subject specialism in Social Sciences, Women's Health and/or related subjects, as well as acting as an Approved Midwife Teacher.

As a member of the College (Faculty) Executive Management Team you will contribute to decision making on a wide range of educational and managerial issues.

A graduate with high self-confidence, motivation, commitment and enthusiasm, you will demand an impressive salary and incentives package within the range advertised.

If you are interested in this challenging role and meet our demanding person specification, please contact:

For informed discussion: Mrs R Ramsamy - Tel: 0322 227211 Ext 441 Mrs S Mealing - Tel: 0322 227211 Ext 415

For application package: Mrs Karen Kennedy - Tel: 0322 227211 Ext 446

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No	Company	Group	Gain or loss
1	BT	Electrical	
2	Electrocomp	Electrical	
3	Humax	Industrial	
4	Rothmans	Tobacco	
5	Shell	Oil, Gas	
6	Wier	Industrial	
7	Goodland	Industrial	
8	Goodland	Industrial	
9	St. Helens	Mineral	
10	Bromsgrove Ltd	Industrial	
11	Wentworth	Industrial	
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Please take into account any minus signs

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Four winners equal share yesterday's Portfolio Plus prize of £2,000. They are Mr H. L. Llewellyn, Mr D. J. Llewellyn, Mr D. J. Llewellyn, Mr D. J. Llewellyn.

BANKS, DISCOUNT, HP

No	Company	Price	Net	Yld	P/E
1	Bank of Scotland	100	100	100	100
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COMMENT

Legacy of a flawed vision

Rosehaugh's demise will hardly boost confidence in the property market. Its bankers, having maintained it as one of the living dead for about 18 months, have decided on a decent burial just at the moment when interest rates have come down to a level at which it would not have got into trouble in the first place. The two are not incompatible, however. Godfrey Bradman may have brought fresh air and vision to the property market, but Rosehaugh, his financial creation, was never so significant or so well based. This was as glaring an example of the perils of keeping crucial assets and liabilities off the balance sheet as any accounting reformer would care to find.

Whether Rosehaugh was liquidated gradually by property professionals or more formally by insolvency professionals was largely a matter of convenience for its creditors. The spring debt rescheduling was not enough to allow Rosehaugh to trade its properties in a dead market. In the end, the banks, led by Barclays and NatWest, had to face the choice of injecting more funds to little purpose or calling a halt.

The consequences are unlikely to be severe. Rosehaugh's most important asset is its stake in Rosehaugh Stanhope Developments, developer of the rose-red City office district of Broadgate as well as the later Ludgate development, itself vast by most other standards. As an indication of scale, RSD's debts are more than three times Rosehaugh's. These important developments will continue, creating enduring assets of great value which can be refinanced in one form or another. There was, however, little prospect of RSD producing income before 1994.

Stanhope, the very different partner in RSD, will not be helped by yesterday's events, but is not in such a weak position, having started earlier and built more of a portfolio of let buildings. Ironically, it might have been allowed to survive by the injection of funds from Olympia & York, Canary Wharf, O&Y's even more visionary development in Docklands, has yet to prove itself, but probably will. In the property business, vision was never a guarantee of financial returns. Rosehaugh's enduring legacy is its contribution to the City's position as a world financial centre.

Missing the point

Amstrad, for which read Alan Sugar, is attempting to bring forward the hearing of a court action that aims to delay its planned extraordinary meeting on December 10. You can see the point. If it is not certain that the meeting will go ahead until a couple of days beforehand, shareholders may not be inclined to concentrate their minds on the issue. They have to decide whether to approve the scheme that would allow Mr Sugar to buy out public shareholders at well below the value of assets attested by the Amstrad board and its auditors, or face an uncertain future.

The concern of the Amstrad board misses the point, however. This is not a matter of timing but of the advice available to shareholders. The board collectively commissioned Kleinwort Benson, which advised it that shareholders seemed unlikely to get more than Mr Sugar was offering by liquidating the company and would probably end up with less. The third option, that shareholders should find new management, was not addressed as comprehensively and independently as many outside shareholders might want.

That may seem absurd to the existing board, which is identified wholly with management, but that is hardly the point. Rather than assuming dissident shareholders have wilfully misunderstood his thinking, Mr Sugar would do better, even at this late stage, to commission independent advice on their behalf.

Wolfgang Münchau
sees cold comfort
ahead for French
agriculture and
draws a parallel
with Britain's miners

The television pictures are only too familiar. Demonstrations are throwing petrol bombs at police in the heart of Paris. Elsewhere in the country roads are being blocked off. British lorries are being stopped and some are overturned. A union flag is thrown into a bonfire, while street signs bearing Anglo-Saxon sounding names are torn down.

Images of French farmers, especially when they are not farming, conjure up violent emotions even among the otherwise placid. The French farmer is Europe's undisputed bogeyman, a symbol for everything that is wrong with the common agricultural policy (CAP) or even with the EC at large. Outside France, the farmer has few friends, apart from other Europeans farmers. But that does not count.

The French farmers are held solely responsible for the hopeless deadlock in the world trade talks in Geneva under the General Agreement on Tariffs and Trade (GATT). Worse still, they are more than just a public order problem, and enjoy tacit support from the French government and the main opposition parties. So the yobbery is institutional. A poll last week showed that 82 per cent of the French population back the farmers. The world trade treaty, meanwhile, remains on hold and with it the promise of newly unleashed trade — some claim \$200 billion worth — in services, agriculture and textiles. This is a large price to pay by anybody's standards in order to keep a few more thugs off the road for a few more days or weeks.

French farmers may have a history of militancy, but the recent proliferation of protests indicate more fundamental forces may be at work here. The rise in militancy is frequently a sign that an industry's lifecycle is nearing its end, and the workers, and frequently the management, too, are fighting against the inevitable. The present outbreak of violence may be nothing other than a frantic last gasp before death sets in, similar to the British miners' strike in 1984, arguably the last time when miners here caused anyone harm or trouble.

It must be clear by now that at the end of the 20th century, there no longer exists a sound macroeconomic case for subsidising small farms in their present form and on the present scale, and certainly not through the price mechanism. This formulation contains a few qualifications: one is that the environmental protection of land, cultivated and cared for by farmers, constitutes a "common" good and therefore carries a price



Road to nowhere: despite protests by French farmers, economic forces suggest they are fighting a losing battle

which needs to be paid for by the community at large. In addition to this, there are social, geographical and demographic issues involved. Hence, the idea of a complete free unsubsidised market for farm products is as unrealistic as was the old-style CAP. It would not be a serious alternative to the present regime.

But however hard one tries to juggle the figures and emphasise the common good element, there is no question that the benefits of a world trade deal would outweigh the combined economic benefits of small farming, possibly but not certainly even for France itself. France's manufacturing and service industry would probably gain from a GATT agreement, but the extent to which it would gain will depend on the detail of the eventual treaty. The only certain element would be a drop in agricultural exports, which are responsible for the existence of a French trade surplus, as the *petrole vert* is responsible for a monthly trade surplus of Fr4.5 billion. This is about the most impressive figure the French farm lobby can demonstrate in support of the agricultural sector's direct effect

on the economy. But what is far more interesting — and far less certain — are the wider and less direct economic implications that further structural changes in the agricultural system would bring about. The main question therefore is not whether it is desirable to change the system (which it is) but how this change should be accomplished. It is therefore not a question of grand principles, such as industrial life-cycles, but a question of economic management under transition.

The same problems of transition management arise, only on a much grander scale, for those in charge of managing an eastern European reform economy. A smaller-scale comparison would be the management of the British coal industry. In each case the outcome is more predictable than the means to achieve it and the route to get there. For the French farming sector the concept of structural change is not new. Since 1970, the agricultural working population has almost halved to about 1.5 million, around 6 per cent of the workforce.

But the bias towards small farming has remained. Of the 900,000 farms left, about 38 per cent are less than 10 hectares (24.7 acres), but occupy only 4 per cent of agricultural land. The size of the average farm is 28 hectares, less than half the size of the average British farm.

The main positive development since the 1970s is export performance. In 1970, French agriculture, including wine and processed foods, recorded a small trade deficit of Fr400 million. Since then it has moved into surplus, last year Fr45 billion, of which Fr42 billion went to the rest of the EC.

The strong trade surplus is now under threat, first from the reform in the CAP, which has been accepted by the French government, and then from the bilateral EC-US farm deal, which will form a crucial component in an eventual GATT agreement. On this point, Pierre Berégovoy, the French prime minister, has threatened a "veto at every stage". The crucial and controversial point is the stipulated 21 per cent cut in subsidised EC exports and an overall 36 per cent reduction in export subsidies

spent by the commission. This, the French government believes, would drive several hundred thousand small farmers out of business.

Over time, this will probably be inevitable. So why should the public sustain industries such as small-scale agriculture, if it are doomed anyway? The answer is that there exist sound economic reasons to manage the process of transition in a more delicate and gradual manner. One might want to draw an analogy with British coal industry. Both industries are nearing the end of their economic life-cycles, both are desperately fighting against the inevitable, and both have a history of militancy.

The recent controversy surrounding pit closures shows too clearly that the public largely sympathises with the miners who are affected by the changes. During the British debate the point was made that a pit closure could seal the fate not merely of the miners affected by the redundancies, and their families, but also some of a whole village or region, with all the knock-on effects for local shops and other suppliers. There was a widespread recognition that pit closures, if they are necessary, should be accompanied with measures designed to prevent a total collapse of the social and regional structures.

Otherwise, a damaging multiplier effect sets in. The multiplier is a measure of the accumulated economic knock-on effects, but is generally difficult if not impossible to predict. A vivid example of a knock-on effect that has gone out of control is the economic reform process in eastern Germany, where naïvely ambitious privatisation zeal has led to the demise first of companies and then of industries.

Had it not been for the generous financial transfers from Bonn, the economy at large would have collapsed, including otherwise healthy enterprises and industries. Whether the issue is the transition of a whole economy or of a particular sector, such as British coal, German steel or French agriculture, the principle remains the same: the success behind transition is never rampant enthusiasm but careful management. So the first necessity for the successful implementation of any such measures is to give time to allow those affected and the government to prepare.

If there is a compromise in the end, the time of transition, generous compensation and employment training will almost certainly form part of any package. Given what is at stake, the odds must still favour a GATT agreement despite the threatened French veto. Ray MacSharry, the European agricultural commissioner who clinched the EC-US trade deal, complained last week that European governments were surrendering to "determined sectional forces at the expense of the more general interests".

His frustration is understandable, but there can equally be no doubt that in the end the small lose out. The French government's shenanigans may in the end not amount to much.

BUSINESS LETTERS

Tec business leaders seeking success

From Mr Edward Roberts
Sir, An extra £10 million is to be available from Training and Enterprise Councils for employers who agree to become Investors in People. Investors in People are more profitable, more competitive, more innovative. They survive because they have a better workforce.

The business leaders of the Training and Enterprise Councils will, I am sure, welcome the continuing interest of the CBI in their affairs, reported by you in "CBI to study grievances over funds for training" (November 26). These leaders know it is vital that there are sufficient resources to sustain the highly skilled population which alone can compete successfully in an advanced society such as ours. Knowledge, skills and quality

mark out the world class company.

The CBI may well demonstrate what Tecs all fear, namely that, taken together, the employers and the government invest too little money in human capital to achieve the National Education and Training Targets. If we do not achieve these Targets for Foundation and Lifetime Learning, the UK will not continue to prosper.

The overall mood of the business leaders who run Tecs is not one of walking out but of strong determination to succeed.

Yours faithfully,
EDWARD ROBERTS,
Chairman G10,
The Training and Enterprise Councils' Secretariat,
The Oaks, Clews Road,
Redditch, Wores.

When insurance companies place different emphasis on 'all risks'

From the Rev Roy Allison

Sir, Insurance companies provide customers with the opportunity to safeguard possessions against (inter alia) "all risks". In most contexts "all risks" means "every". But for at least my insurance company all risks means only those risks "other than those which are the subject of specific exclusions". An Alice in Wonderland word indeed, making words mean what the writer wishes them to mean — no more, no less.

Having now learnt that at

least one insurance company does not mean what it says, I wonder how widespread this practice is.

Is the Oxford English Dictionary able to supply special "insurance company" definitions of words or do they not

recognise this distortion of the English language?

Yours faithfully,
ROY ALLISON,
Superintendent Minister,
South London Mission,
The Central Hall,
Bermondsey Street, SE1.

NOTICE TO HALIFAX MAXIM CUSTOMERS

Halifax Building Society announces a reduction in the rates of interest charged on Maxim current account debit balances with effect from 1st December 1992.

The present authorised overdraft rate for balances falling within an agreed overdraft limit is 1.52% per month (APR 19.8%). This will be reduced to 1.43% per month (APR 18.5%).

The present rate for unauthorised overdrafts and debit balances which exceed an agreed overdraft limit is 2.5% per month (APR 34.4%). This will be reduced to 2.21% per month (APR 29.9%) for all Maxim customers.

Interest will be charged at the new rates on any relevant debit balances which remain outstanding on or after 1st December 1992.

The authorised overdraft rate of 1% per month (APR 12.6%) charged on certain debit balances on qualifying student and young worker accounts remains unchanged.

TRINITY ROAD
HALIFAX

HALIFAX

1ST DECEMBER

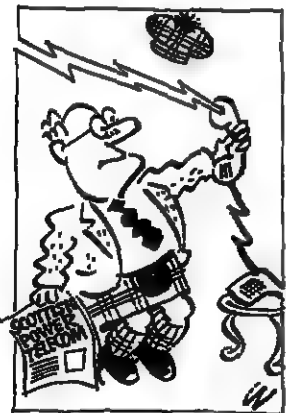
THE TIMES CITY DIARY

A family affair

SIR Patrick Sergeant, former City Editor of the *Daily Mail* and founder of *Euro money*, was last night attending the private viewing of an exhibition of paintings by his wife Gilly. Entitled *From Three Continents*, the 46 pictures are on display at the Leighton House Museum in Kensington and are Lady Sergeant's first public exhibition in 25 years. In recent times, most artistic prizes in the family have gone to Sergeant's acclaimed daughter, Emma, one of Britain's most successful young artists, said to command up to £10,000 for her portraits. Sergeant admits his daughter's reputation "does make it very difficult" for his wife to exhibit but says the two are close. "They encourage and criticise each other and universally agree my views are not worth having," Sergeant also reveals that he has now had two sittings for his own portrait, commissioned from his daughter by the board of *Euro money*. Sir Patrick stood down as chairman in October but remains a non-executive director. The portrait will hang in *Euro money*'s boardroom. "I think it's looking pretty good but then I'm hardly unbiased, am I?" he says.

Windsor warmer

IF THE Queen has any trouble sleeping at the thought of her impending tax bills, she could always play the *paparazzi* at their own game and consider selling rights to pictures



of the Windsor blaze. With a certain lack of tact, Simon Engineering, maker of fire-fighting equipment, is already boasting that TV shots of its platforms used during the Windsor inferno have resulted in \$25 million of sales in America and Korea. Its announcement yesterday inspired some of the worst puns on City screens for some time — "Windsor blaze warms fire-fighter", "Company says blaze has stoked up business," — and others in equally bad taste. Company spokesman Mike Hunt says Simon is not ruling out using photographs of the Windsor inferno in future sales brochures, either. "We use pictures of fires in refineries, hotels, whatever is appropriate," he says. Look out for the picture postcards.

Garlic bread

WE MAY have come out of the ERM but, gastronomically at least, we are getting closer to Europe according to JLL, the food group, which has just paid £1.2 million for a garlic

importer. According to JLL, garlic consumption in the UK has risen from 4,000 tonnes a year in 1989 to 7,000 tonnes thanks to all the Frenchified food and supermarket *poellia* we now consume. Either that, or it's a concerted effort to ward off the evil Euro-eye.

Lucky Jim

JIM Furlong, the County NatWest salesman who has turned headhunter, seems to have a way with American ladies. Hot on the heels of placing New Yorker Debbie McNeill at Salomon, he has just "moved" high-flying Wall Street saleswoman Enit Bogle on to the US equity sales desk at Prudential Bache Bogle. 35, was previously with Donaldson Lufkin in New York for three years and followed her husband Harold to London this summer after First Boston posed him here to run its US capital markets desk. Furlong predicts more action on the American equities scene soon. "It's coming up to bonus time and people who have done well are looking out for opportunities to move," he says.

NOT everyone was as amused as the City Diary at the idea of bankers at Goldman Sachs — based in Shoe Lane — giving their old shoes to the homeless for Christmas. Providence Row, the charity to London's homeless, says that it needs not only shoes, but socks to go with them, razors, shampoo, gloves, and scarves as well. Anyone who can help, please ring 071 375 0020.

DEBRA ISAAC

British Coal's ingratitude to mineworkers

From Mr Peter McNestry
Sir, In response to the letter from Neil Clarke, chairman of British Coal (Business Letters, November 26), I wish to make the following comments.

British Coal mineworkers, over the last eight years, increased productivity by 150 per cent. Their reward for this achievement was that 30,000 were to be sacked, many with less than two days' notice. Neil Clarke in his letter now suggests that "legislation changes" would facilitate improvements in output. This, as I understand it, means "de-regulation" as contained in the Health and Safety Administration package, and also the removal of limits on the mineworkers' underground hours of work.

On the latter point, Chairman Clarke and his management team are not noted for spending long hours under-

ground, but British Coal have been quick to remind everyone that some fatal accidents are due allegedly to miners not being in a "full state of alertness" (British Coal's term, not mine).

Is British Coal's callousness, so ably demonstrated by their planned 30,000 sackings, now to be superseded by their push to deregulation? Yours faithfully,
P. MCNESTRY,
National Association of Colliery Overmen, Deputies and Shotfireds (Nacods),
Simpson House,
48 Nether Hall Road,
Doncaster,
South Yorkshire.

Letters to The Times
Business and Finance
section can be sent by
fax on 071-782 5112.

071 782 5112

Big buyers bring new high

Some chartists say the FTSE 100 index could trade between 2,880 and 2,900 within

unchanged at 260p.
Oil stocks were in favour

without consulting the main
land sent share prices divi

1992		Stock	Price	Yld	Grd	1992		Stock	Price	Yld	Grd
High	Low					High	Low				
SHORTS (under 5 years)											
100	90%	Paid 8/6 1993	99%	0.01	8.23	111%	99%	Trans 9/6 2002	107%	0.01	8.26
100%	91%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.19
100%	92%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Paid 3/4 1999-04	107%	0.01	8.32
100%	93%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	94%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	95%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	96%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	97%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	98%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	99%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	100%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	101%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	102%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	103%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	104%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	105%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	106%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	107%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	108%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	109%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	110%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	111%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	112%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	113%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	114%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	115%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	116%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	117%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	118%	Trans 8/6 1993	100%	0.01	8.23	100%	99%	Trans 9/6 2002	107%	0.01	8.31
100%	119%	Trans 8/6 1993	100%	0.01	8.23	100%	99%</				

FTSE EURO 100:		MARKET INDEX TOTAL RETURNS					
	(057.75 (+7.93))		Period	Open	High	Low	Close Volume
Brussels:			Dec 92	2775.0	2851.0	2771.0	2765.0 700
General	5597.11 (+8.01)	Mar 93	3740.0	3810.0	3702.0	3702.0 1000	
Paris:	463.48 (+0.35)		Dec 92	272.50	277.00	272.00	276.00 1000
Zurich:	393.5 (+4.0)		Mar 93	93.06	95.00	91.20	93.48 40300
London:			Jun 93	93.06	93.00	93.47	93.44 700
FT A-All-Share:	1313.02 (+7.00)		Dec 92	90.00	90.00	90.00	90.00 200
FT 500:	1458.24 (+6.72)		Mar 93	91.14	91.16	91.08	91.11 52826
FT 100:	1458.24 (+6.72)		Mar 93	92.15	92.15	92.04	92.06 45756
FT 100 Mibid:	108.01 (+7.16)		Dec 92	103.12	103.12	102.30	102.30 225
FT Fixed Interest:	108.01 (+7.16)		Mar 93	102.93	103.03	102.93	102.93 225
FT Govt Sec:	92.56 (+6.88)		Dec 92	92.93	92.93	92.93	92.93 225
Bargain:	92.56 (+6.88)		Mar 93	98.19	98.19	98.12	98.22 2414
SEAQ Volume:	635.00		Dec 92	98.23	98.16	97.28	98.05 1741

[illegible]

COMMODITIES

REPORT: Cocoa futures extended earlier losses in the afternoon session depressed by long liquidation. Robusta coffee futures closed higher boosted by fund and commission house buying in New York which re-opened after the Thanksgiving holiday weekend. Sugar continued to show

ICIS-LOR (London 6.00pm): Numbers were slightly stronger in the wake of the Opec accord.

CRUDE OILS (Shanghai FOB)

West. Gh. Crude	10.75	+0.75
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LONDON FOX COCOA			GNI LONDON GRAIN FUTURES			W TEXAS INTERMEDIATE (FEB)			PRODUCTS (\$/MT)		
Dec	697-694	Mar	817-816								
Mar	727-726	May	832-829								
May	744-742	Jul	847-842								
Jul	760-758	Sep	861-859								
Sep	776-775										
Dec	797-795	Volume:	7910								

WHEAT toluol 5/0			SPOT CIF NW EUROPE (prompt delivery)			
Jan	Mar	134.80	Premium Grade 15	Blk 204	1/07	2/07
Mar	May	134.00	Non EEC 1H Jan		178 (+3)	179 (+3)
May	Jul	39.50	Non EEC 1H Jan		184 (+3)	184 (+3)
Jul	Oct	140.00	Non EEC 1H Jan		184 (+3)	184 (+3)
Oct	Dec	137.50				

Mar	---	977-976	Nov	1028-1005	Jan	---	134.75	IPE FUTURES				
May	---	980-979	Dec	1026-1001	Jan	---	137.00	GNI Ltd				
BAW SOYA (FOB)					Jan	---	134.75					
C Cornish	Aug	---	192.0-188.0	May	---	138.90	GAS OIL					
Sept. 220.0	Oct	---	192.0-188.0	May	---	108.00	Dec	---	177.00-77.25	Apr	---	174.75-78.00
Dec	---	86.0-90.0	Nov	---	117.75	Feb	---	179.50-79.75	May	---	172.00-72.25	
Mar	---	198.2-87.0	Mar	---	102.00							
May	---	192.0-88.0	Volume: 212									
HI-PRO SOYA												

<table border="0"> <tr> <td>Mar</td><td>253.0-27.0</td><td>May</td><td>253.8-50.5</td></tr> <tr> <td>May</td><td>262.0-1.0</td><td>Mar</td><td>242.6-6.2</td></tr> <tr> <td>Aug</td><td>262.0-1.0</td><td>May</td><td>250.0</td></tr> </table>		Mar	253.0-27.0	May	253.8-50.5	May	262.0-1.0	Mar	242.6-6.2	Aug	262.0-1.0	May	250.0	<table border="0"> <tr> <td>Mar</td><td>10.08-19.10</td><td>Vol: 16044</td></tr> </table>		Mar	10.08-19.10	Vol: 16044																									
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Scotlands	-78.10	-20.5	-51.8				
	18.18	74.02	115.90				
	7.33	-1.76	-7.33				
(%)	-67.6	-37.9	-34.4				

Jan 1st RSS CF (pts)				Apr 93			
Jan	61.00-63.50			1283	1385	1294	1294
				Vol 14 lots	Open Intst: 2793	Index 1230-2	

Official (Volume prev day)				LONDON METAL EXCHANGE				Random Vol
LONDON MEAT FUTURES				Copper Spec A (t/tonnes)				55182
Live Pig (pts)				Cash: 1481.5-1427.5				3rdst: 1483.5-1484.0
				Lead (t/tonnes)				3174.00
				Zinc Spec HI Gde (t/tonnes)				1141.50-1147.0
								2480

Kleinwort Benson Private Bank is pleased to announce that with effect from 1st December 1992 the Mortgage Management Account interest rate has been reduced to 9.25% per annum. The mortgage base rate is now 9.5% per annum.

Kleinwort Benson Private Bank is a Division of Kleinwort Benson Investment Management Limited

LOOKING TO RENT OR WANT TO RENT YOUR PROPERTY?
RENTALS APPEAR EVERY WEDNESDAY
TO ADVERTISE PHONE
071-481 1920
071-481 4000

Abbey Natl	2,200	Carlson Com	497	Land Secs	1,300	Scott Hydro	406
Coast Vly	1,500	Coast Vly	1,500	Land & On	1,000	Scott & New	1,000
Chagrin W	971	Union	4,000	Liberty	1,000	Shawmut	1,000
Anglyl Cp	5,200	Courtsville	514	M&B Cardn	20	Seas	5,800
Wright Wigm	1,000	De La Rue	4,500	Marke Spr	6,800	Swm Trntr	1,900
AB Foods	253	Eng China	1,232	NFC	256	Steel Thrang	2,000
AAA	810	Emperr Oil	3,200	NW&W Mt	2,500	Steele	2,700
WAT Inds	1,000	Fluor	4,000	NW Power	799	Strud Inc	800
BOC	625	Forte	3,000	Norwich	1,000	Smith Nph	900
SP	4,400	GRE	3,000	Norwin Pds	647	Smith (Wt)	1,300
WAT	1,700	GUS A	421	P & O	947	South East	164
WTR	5,300	Glen Ace	1,200	P&W	1,000	Spr Alline	1,400
Ed of Scott	7,000	Glen Est	4,700	PowerGen	1,000	T & P	900
Barclays	6,000	Grazo	2,700	Prudential	1,300	TSB	7,100
Bea	4,100	Grand Met	2,100	RTZ	1,000	Tate & Lytle	3,000
Bank One	2,100	Grand Met	4,900	Rank Org	702	Tesco	6,200
Bank One Circle	300	Hamco	1,000	Reed Cos	400	Thomson	7,000
Beas	2,100	HSTC	10,000	Redland	799	Trn Edm	995
Bowater	686	Hanson	5,000	Reed Cos	1,000	Tomkins	5,000
Brl Airways	4,200	ICI	1,100	Remold	178	Unibank	1,000
Int Gas	2,200	Inchcape	400	Reins	1,100	Unl Unl	1,000
W&A	1,000	KBR	1,000	Ritz Royce	900	Vodone	500
Purnham Cash	846	Kwik Sav	955	Rothmans	305	Wellcome	1,000
Bank Wire	1,800	LASMO	1,700	Ryl Bk	3,200	White's A*	378

LIFE OPTIONS											
Calls						Puts					
Series	Jan	Apr	Jul	Jan	Apr	Jul	Jan	Apr	Jul	Jan	Apr
Ud. Long	600	52	67	77	7	16	27				
Ud. Long	630	20	37	45	28	37	51				
Ud. Long	640	17	37	40	29	37	51				
Ud. Long	650	14	30	33	26	33	48				
Ud. Long	660	5	18	20	12	19	26				
Ud. Long	550	55	60	70	10	17	26				
Ud. Long	560	41	51	56	42	51	51				
Ud. Long	570	30	41	46	24	37	42				
Ud. Long	580	24	35	36	24	31	36				
Ud. Long	590	28	27	26	17	22	31				
Ud. Long	600	23	24	23	15	20	26				
Ud. Long	610	23	24	24	15	20	26				
Ud. Long	620	23	24	24	15	20	26				
Ud. Long	630	23	24	24	15	20	26				
Ud. Long	640	23	24	24	15	20	26				
Ud. Long	650	23	24	24	15	20	26				
Ud. Long	660	23	24	24	15	20	26				
Ud. Long	670	23	24	24	15	20	26				
Ud. Long	680	23	24	24	15	20	26				
Ud. Long	690	23	24	24	15	20	26				
Ud. Long	700	23	24	24	15	20	26				
Ud. Long	710	23	24	24	15	20	26				
Ud. Long	720	23	24	24	15	20	26				
Ud. Long	730	23	24	24	15	20	26				
Ud. Long	740	23	24	24	15	20	26				
Ud. Long	750	23	24	24	15	20	26				
Ud. Long	760	23	24	24	15	20	26				
Ud. Long	770	23	24	24	15	20	26				
Ud. Long	780	23	24	24	15	20	26				
Ud. Long	790	23	24	24	15	20	26				
Ud. Long	800	23	24	24	15	20	26				
Ud. Long	810	23	24	24	15	20	26				
Ud. Long	820	23	24	24	15	20	26				
Ud. Long	830	23	24	24	15	20	26				
Ud. Long	840	23	24	24	15	20	26				
Ud. Long	850	23	24	24	15	20	26				
Ud. Long	860	23	24	24	15	20	26				
Ud. Long	870	23	24	24	15	20	26				
Ud. Long	880	23	24	24	15	20	26				
Ud. Long	890	23	24	24	15	20	26				
Ud. Long	900	23	24	24	15	20	26				
Ud. Long	910	23	24	24	15	20	26				
Ud. Long	920	23	24	24	15	20	26				
Ud. Long	930	23	24	24	15	20	26				
Ud. Long	940	23	24	24	15	20	26				
Ud. Long	950	23	24	24	15	20	26				
Ud. Long	960	23	24</								

[illegible]

Brix Warrens 1997	103		Tepnel Diagnostics (L20)	195	...
Beta Global Emg C (100)	97	...	Wetherspoon (J.D.) (167)	171	+1
Crichtley Group (220)	239	...			
Dorling Kindersley (165)	250	+8			
Foreign & Col PEP Inv Trt 102					
Jos Holdings Capital	31	+1			
Jos Holdings Income	87	-1	Prime People n/p (44)		4 ...
Jos Zero Div M	109	+ 1/2	Property Trust p/p (25)	18	-1

MAJOR CHANGES

Base	556p (+10p)	LEADS	512p (+23p)
Grand Met	459p (+12p)	RMC Group	482p (+10p)
Guinness	539p (+16p)	Burmah Castrol	867p (+14p)
Menders	221p (+20p)	Thomson Corp	745p (+40p)
		FALLS:	
H Clarkson	732p (+12p)	Swire Pacific 'A'	290p (-16p)
ADT	239p (+15p)	Pratt & Whitney	535p (-12p)
News Int	670p (+18p)	Savoy Hotel 'A'	535p (-50p)
Liberty Life	753p (+20p)	Ranger	353p (+27p)
Redland	352p (+12p)		
Airtours	262p (+10p)		

Closing Prices Page 27

Exchange index compared with 1985 was up at 78.5 (day's range 78.1-78.5).

City	Range	Class	1 month	3 months
Amsterdam	2,709-4,745	2,711-9,135	4-12	14-22
Brussels	4,093-5,278	49-37,408	4-9	14-22
Copenhagen	8,360-9,357	8,232-9,357	4-12	14-22
Frankfurt	2,407-2,407	2,407-2,407	17-77	20-40
London	2,407-2,407	2,407-2,407	4-12	14-22
Madrid	173-18,174	173-18,174	11-13	31-37
Minneapolis	9,352-9,352	9,352-9,352	0.20-0.26	0.24-0.26
Montreal	5,102-5,103	5,102-5,103	0.45-0.47	1.2-1.3
New York	4,745-5,278	4,745-5,278	4-12	14-22
Paris	1,815-1,815	1,815-1,815	6-7	6-7
San Francisco	10,352-10,352	10,352-10,352	4-12	14-22
Tokyo	187-58,188	187-58,188	4-12	14-22
Vancouver	16,920-17,200	16,920-17,200	4-12	14-22
Vienna	1,815-1,815	1,815-1,815	4-12	14-22

OTHER STERLING		DOLLAR SPOT RATES	
Argentina peso*	1.4960-1.4986	Australia	1.4645-1.4656
Australia dollar	2.2092-2.2124	Austria	11.23-11.25
Bahrain dinar	0.5635-0.5725	Belgium (Com)	32.86-32.90
Brazil	9.0000-9.072.5	Canada	1.2640-1.2645

Greece drachma	315.27-317.73	Germany	1.9985-1.9972
Hong Kong dollar	11.6750-11.6843	Hong Kong	7.7395-7.7405
India rupee	42.51-43.17	Ireland	1.6450-1.6500
Kuwait dinar KD	0.4485-0.4555	Italy	1.3955-1.3975
Malaysia ringgit	3.8240-3.8281	Japan	124.78-124.83
Mexico peso	4600-4700	Malaysia	2.5350-2.5360

S Africa rand (fin)	7.2038-7.3844	Singapore	1.6365-1.6375
S Africa rand (com)	4.5686-4.5748	Spain	115.15-115.61
U A E dirham	5.4875-5.5725	Sweden	6.8530-6.8630
Barclays Bank GTS • Lloyds Bank		Switzerland	1.4445-1.4455

MONEY RATES (%)

Base Rates: Classic Bank 7, Finance Ltd 8.

	1 month	2 month	3 month	6 month	12 month
Prime Bank Bills (Dish)	6 ¹¹ / ₁₆ - 6 ¹¹ / ₁₆	6 ¹¹ / ₁₆ - 6 ¹¹ / ₁₆	6 ¹¹ / ₁₆ - 6 ¹¹ / ₁₆	6 ¹¹ / ₁₆ - 6 ¹¹ / ₁₆	
Sterling Money Rates	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆
Interbank	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	6 ¹¹ / ₁₆ - 6 ¹¹ / ₁₆
Overnight: open 7 ¹ / ₁₆ , close 5 ¹ / ₁₆					
Local Authority Depos	7 ¹ / ₁₆	7 ¹ / ₁₆	7 ¹ / ₁₆	7 ¹ / ₁₆	6 ¹¹ / ₁₆
Sterling CDs	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	7 ¹ / ₁₆ - 7 ¹ / ₁₆	6 ¹¹ / ₁₆ - 6 ¹¹ / ₁₆	6 ¹¹ / ₁₆ - 6 ¹¹ / ₁₆

ECGD's Fixed Rate Sterling Export Finance. Make-up day: Nov 30, 1992 Agreed rates: Dec 26, 1992 to Jan 25, 1993 Scheme I: 8.71%. Schemes II & III: 8.94%. Reference rate: Oct 31, 1992 to Nov 30, 1992 Scheme IV & V: 7.267%.

EUROPEAN MONEY DEPOSITS (%)					
Currency	7 day	1 mth	3 mth	6 mth	Call

Swiss Franc:	6'x6	7'x6	6'x6 1/2	6'x6 1/2	6'x5 1/2
Yen:	3'x3 1/2	3'x3	3 1/2'x3 1/2	3'x3 1/2	4'x3 1/2

GOLD AND PRECIOUS METALS (Baird & Co)

Bullion: Open \$333.50-334.00 Low: \$333.40-333.90	Close: \$334.40-334.90 Kruggerand: \$333.50-335.50 (\$219.50-221.50)	High: \$334.70-335.20
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Scotland wins job boost

A TOTAL of 670 jobs were yesterday promised for Scotland in the electronics and food sectors. Four hundred are to be created over five years by Jahl Circuit, an American electronics firm, at Livingston, near Edinburgh.

The Florida company is spending £13 million to set up a printed circuit board factory — its first European operation. Scotland emerged as the final choice from an international shortlist, including Ireland and The Netherlands.

Auld's, a Scottish food firm, is creating 270 jobs, also over five years, by building a factory making frozen and chilled sweets and desserts for the catering industry at Inchinnan, near Glasgow.

In addition, a £200 million housing and business park, which will provide 7,500 new jobs, is planned for a 200-acre site adjoining the M1-A1 link road near Aulhouse in east Leeds. If approved, it will be the largest in Britain. The East Leeds Development Company wants to build 1,000 homes and a small neighbourhood centre as well.

Paper merger

A merger between three Dutch companies, designed to create Europe's second-largest packaging and paper business in time for the single European market, has been agreed. Newco will have annual sales of 13 billion guilders (£4.68 billion) and stand second only to Stora of Finland in the European paper league.

The business is being created by the merger of KNP, Bührmann-Tetterode and VRG Groep. Newco will have 29,700 employees worldwide. Its activities will range from paper manufacture and packaging to distribution of graphic supplies and computer equipment.

Merrydown falls

Merrydown Wine, the cider maker, fell from £943,000 to £760,000 pre-tax in the six months to end-September after a mixed performance from the premium Merrydown Vintage Cider brand. The interim dividend rises an effective 12.5 per cent to 1p, although Richard Pardee, chairman, says it is too early to take a view on the year as a whole.

GPA deal

Airbus Industrie has largely wrapped up talks with GPA, the Irish aircraft leasing company, and agreed to reschedule some deliveries, an industry source said. "Airbus has more or less terminated its discussions with GPA. It will reschedule a number of aircraft and feels totally confident in GPA's ability to pull out of what is a temporary difficulty." As part of an effort to restructure \$2.7 billion debt, GPA has asked its bankers for a two-year deferral of \$900 million in principal repayment.

Heseltine aims to levy fines for abuse of market power

By ROSS TIEMAN
INDUSTRIAL CORRESPONDENT

BRITISH courts could be given powers to impose fines equal to 10 per cent of sales on companies that abuse dominant market positions. The proposal is among several options unveiled yesterday by Michael Heseltine, the trade secretary, in a green paper designed to improve the effectiveness of UK competition legislation.

The green paper addresses issues that were raised in a 1989 white paper by Lord Young, but which fell foul of other pressures on parliamentary time. The paper is also a belated response to complaints by Sir Gordon Borrie, the former head of the Office of Fair Trading, that the OFT's investigative powers, and fines for companies abusing market power, are inadequate.

It offers ways to tackle companies that use predatory pricing and other measures to thwart would-be competitors, as well as those that exploit market dominance to widen profit margins.

Mr Heseltine said ministers were keen to improve the effectiveness of competition,

companies that use predatory pricing policies to protect their dominant market position face stiffer penalties in green paper proposals to beef up competition laws

but it is not clear that changing the rules might impose increased costs on business.

UK competition law is based on the Competition Act 1980 and the Fair Trading Act 1973. These give the Office of Fair Trading wide-ranging powers to investigate apparent abuses of market power, but provide only weak penalties.

EC legislation, by contrast, makes abuse of a dominant position an offence under Article 86 of the Treaty of Rome. The European Commission can impose a fine of up to 1 per cent of turnover on companies that breach the code.

The green paper offers three options. The first is to strengthen existing UK legislation. Sir Gordon Carberg, the director-general of fair trading, would be given increased powers to obtain evidence, including the right to enter and search premises with a

magistrate's warrant. Option two would introduce a European-style system, making it an offence for companies to abuse market power. The OFT would be given powers to investigate, and establish a tribunal which could impose fines of up to £1 million. Applications for larger penalties could be made by the OFT to the High Court.

Similar powers would be given to regulators of utilities. Companies that believed they were victims of market abuse would have the power to bring actions for damages, and to seek interim relief through injunctions.

Option three seeks to obtain the benefits of the European system, while retaining the best features of the present arrangements. That would enable the director-general of fair trading to tackle situations in which two or more companies impeded competition, or kept prices artificially high.

Amstrad seeks early hearing

By COLIN CAMPBELL

AMSTRAD, the computer group that Alan Sugar, its founder, is trying to take private, will apply to the High Court this morning to expedite legal proceedings instituted by a shareholder.

Edward Northcote, a private shareholder who owns 1,000 shares, said on November 24 that he had asked the High Court to order that an Amstrad meeting scheduled for December 10 be postponed until further information about Mr Sugar's controversial buyout plan had been circulated. Mr Northcote's motion will be heard next Monday.

Amstrad said that hearing was too close to the December 10 general meeting at which Mr Sugar's 30p cash offer will be considered, and will ask the Court that Mr Northcote's application be heard "as soon as possible".

An Amstrad spokesman said last night that the closeness of the two meetings could be confusing for some shareholders, and that could mean a delay in sending of proxies.

Comment, page 25

Adidas share sale boosts Pentland

By WOLFGANG MÜNCHAU

THE development of sterling was the major factor behind a £47 million share sale profit announced yesterday by Pentland Group.

The profit came from the sale of Pentland's stake in Adidas, the German sports goods group, and was a return on investment of more than 100 per cent over three months.

The British sportswear company, originally planned to use the Adidas, and cemented its position

by buying, in August, a 20.05 per cent stake in Adidas's main holding company. In October, however, Pentland decided to abandon the bid after carrying out a detailed study of the financial situation at Adidas.

Pentland said yesterday that it had sold the stake in Bernard Tapie Finance GmbH, which owns 95 per cent of Adidas, back to its majority owner, Bernard Tapie Finance SA. The latter is the investment vehicle of Bernard Tapie, the French financier and former government minister.

Pentland made a pre-tax profit on the share sale of £13 million, as well as a profit of £34 million because of the strong rise of the mark against the pound. The combined profit of £47 million exceeds the initial investment outlay by £1 million.

Yesterday's deal marks the end of Pentland's involvement with Adidas, the future of which remains uncertain. Stephen Rubin, the chairman of Pentland, said that the company was "delighted" with the profits, but "disappointed not to have been able to acquire Adidas".



Rubin: "delighted"



Well seasoned: Yoav Gottesman, JLI chief executive, announced a dividend rise

JLI satisfies its appetite for growth

YOAV Gottesman has announced that JLI Group, where he is chief executive, is performing to expectations despite low consumer confidence and margin pressure.

The specialty food company, which expanded by buying Brookspaks, a distributor of garlic and ginger, increased profits from £1.14 million to £1.84 million in the six months to the end of September.

Earnings slipped from 3.4p a share to 3.2p, reflecting the impact of two rights issues that helped fund acquisitions. The interim dividend rises from 1.5p a share to 1.55p. Turnover increased from £40.2 million to £50.9 million and operating profits from £1.76 million to £2.35 million.

Operating margins edged forward from 4.4 per cent to 4.6 per cent. Interest charges were reduced from £617,000 to £511,000.

Diary, page 25

COMPANY BRIEFS

Philip Harris Higgs (I)
Pre-tax: £208,000
EPS: 6.60p (5.11p)
Div: 2.2p (2p)

Visteo Group (I)
Pre-tax: £1.3m (£1m)
EPS: 0.73p (0.56p)
Div: 0.125p (0.1p)

Associated Nursing Svcs
Pre-tax: £725,000
EPS: 6.6p (5.9p)
Div: nil (nil)

Borthwick (I)
Pre-tax: £1.3m (£0.9m)
EPS: 1.5p (1.2p)
Div: 0.5p (0.5p)

Regina
Pre-tax: £1.2m loss
EPS: 0.91p loss
Div: none (none)

SW Wood Group (I)
Pre-tax: £425,000
EPS: 2p (loss: 1.9p)
Div: 0.5p (nil)

Crown Eyeglasses (I)
Pre-tax: £274,000
EPS: 11.6p (10.2p)
Div: 2.5p (2p)

Scott Pickford (I)
Pre-tax: £103,167
EPS: 1p (1.9p)
Div: nil (nil)

Profits up from £824,000. Interest charges rise from £287,000 to £330,000 after acquisition of Proctor.

Computer services company. Search for acquisitions continues. Net cash of £4.1 million at end-October.

Interim results. Compares with previous restated profits of £379,000. Gearing unchanged at 90 per cent.

Results include exceptional credit of £442,000 due to tax refund by New Zealand revenue. Last year hit by reorganisation costs of £348,000.

Last year's loss £505,000 (loss per share 0.29p). Downturn in major markets led to operating loss of £701,000.

Focus on printing and packaging. Compares with loss of £154,000 last time. Search for acquisitions continues.

Compares with profit of £242,000. UK expansion continues. Two new stores on the way in Sweden.

Profits slip from £189,508. Computer services continue to perform well. Stronger second half expected.

Costain finance director quits in mid-fight

By MARTIN WALLER
DEPUTY CITY EDITOR

THE finance director of Costain Group, the debt-plagued construction to property concern, has left after seven years, halfway through a tough legal fight with Hanson over the sale of Costain's Australian businesses.

The resignation of Tom Sless as Costain's finance director was not unexpected in the City, given the deep financial trouble the group is in. It came with two board appointments, of Tom Parker, the president of Costain's American arm, and of Peter Hill, head of corporate development and chairman of the residential property division.

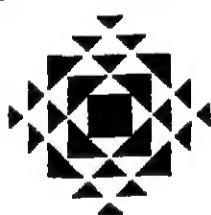
While the Costain board thanked Mr Sless for his contribution over seven years of service, he was seen in the City as taking some of the blame for the group's decline. "The timing is a bit odd, in the middle of a deal," said one analyst.

Alan Lowell is appointed chief financial officer pending a new board appointment. Insiders suggested Mr Sless had felt increasingly apart from the core management and had departed by mutual agreement. He is not thought to have a post to go to and is said to have left for "personal reasons". Compensation terms on his contract, which had almost three years to run, are being worked out.

Costain is suing Hanson in the High Court in London and is also locked in legal battle with the conglomerate in St Louis in America. The case arises from Costain's earlier provisional agreement to sell its Australian mining business to Hanson for a price that was subsequently topped by Altus, the French group.

Peabody, Hanson's American subsidiary, is attempting to have the original contract enforced, while Costain wants to move the case out of American jurisdiction, at the same time seeking a declaration that it can proceed with the sale to Altus as well as seeking damages for breach of contract and breach of guarantee.

Costain can expect to have debts of £175 million by the financial year-end at December 31. Among its problems is a one-third stake in a consortium engaged in the redevelopment of the Spitalfields area east of the City of London. Heavy provisions from this project and on housing land are expected at the year-end and would mean another full-year pre-tax loss, after losses of £69.2 million in 1991. The shares eased 1p to 27p.



ScottishPower

INTERIM RESULTS FOR THE SIX MONTHS TO 30 SEPTEMBER, 1992

PROFIT & LOSS ACCOUNT For the six months ended 30 September	1992 - Unaudited		
	Six Months Ended 30 September 1992 £m	Six Months Ended 30 September 1991 £m	Year Ended 31 March 1992 £m
Turnover	634.8	599.0	1,384.6
Operating profit before exceptional items	112.5	95.4	280.9
Exceptional items	2 (13.3)	-	-
Operating profit	99.2	95.4	280.9
Net interest charge	(4.2)	(13.5)	(21.0)
Profit on ordinary activities before taxation	95.0	81.9	259.9
Taxation	3 (26.0)	(17.2)	(54.6)
Profit for the period	69.0	64.7	205.3
Dividends	(30.3)	(27.5)	(82.5)
Profit retained	38.7	37.2	122.8
Earnings per ordinary share 4			
Before exceptional items	10.10p	7.94p	25.2p
After exceptional items	9.47p	7.94p	25.2p
Dividend per share 5	3.72p	3.38p	10.13p

Notes:
1. These interim results have been prepared on the basis of accounting policies consistent with those set out in the Company's Annual Report and Accounts for the year ended 31 March 1992. The information shown for the year ended 31 March 1992 does not constitute statutory accounts within the meaning of section 240 of the Companies Act 1985 and has been prepared from the audited financial statements for the year ended 31 March 1992 filed with the Registrar of Companies. The report of the Auditor on these financial statements was unqualified.
2. The exceptional items comprise:
(a) provisions for reorganisation and restructuring
(b) a credit to income in respect of a reassessment of provisions for energy losses in the transmission and distribution network
3. The charge for taxation reflects the anticipated effective rate for the year ending 31 March 1993 of 24% on the profit before taxation excluding exceptional items.
4. The earnings per share have been calculated by dividing the profit on ordinary activities after taxation of the six months ended 30 September 1992 (£99.2m) by 694,700,000 ordinary shares in issue and ranking for dividend during the period (1991 weighted average number of ordinary shares in issue and ranking for dividend during the period (1991) 674,216,000). For the purposes of the calculation, it has been assumed that these numbers of ordinary shares were in issue throughout the periods.
5. The interim dividend of 3.72p (net) per ordinary share (1991 3.38p) is payable on 12 March 1993 to shareholders on the register at 28 January 1993.
6. Electricity demand is seasonal and peak demand occurs during the second half of the financial year.

Chairman's Statement

Profit before tax after exceptional items rose to £95 million in the six months to 30 September 1992, a rise of 16 per cent on the comparable period last year. Earnings per share after exceptional items have increased by 6.7 per cent to 8.47p from a level of 7.94p for the first six months of last year. The interim dividend payable for the period on 12 March 1993 to ordinary shareholders on the register on 28 January 1993 is 3.72p per share, an increase of 10.1 per cent.

Gearing at 30 September 1992 was very low, with net borrowing of £13.1 million. Dividend and taxation payments in the second half of the year of approximately £150 million will increase net debt by the year end. Since 30 September 1992 we have bid successfully to repay the £142 million 11.856 per cent bond which was due to be repaid to HM Treasury in 2005. Gearing at the year end is expected to be below last year's level.

We have continued to improve the efficiency of our business. This has contributed to increased profitability while maintaining low tariffs for our customers. We have the lowest Domestic tariff in the UK and we believe that our industrial and commercial contract prices are among the most competitive. As announced earlier this month all our tariff customers will receive the benefit of a rebate by January 1993, due to inflation in the 12 months ended October 1992 being at a lower rate than anticipated when our tariffs were set. In total this will amount to approximately £20 million.

In our generation business we continued to reduce fuel costs and we have begun to see the first benefits of burning North Sea sour gas at Peterhead. Revenue and profits from sales of electricity to England and Wales increased.

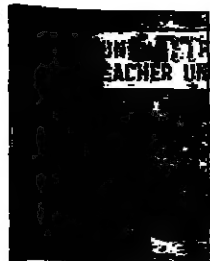
Following the reorganisation of the company last year into separately accountable businesses, our fundamental review of operations has continued and is already resulting in savings. We have increased provisions for restructuring and reorganisation by £23 million to help reach our objectives of further increasing efficiencies.

We continue to give a high priority to enhancing customer service. According to a recent report from the Office of Electricity Regulation we rank among the best in the UK on several significant measures of service performance. We are determined that the drive to achieve excellence in all our activities will continue. Our performance to date in the second half of the financial year continues to be very satisfactory.

Mr Murray Stuart, Chairman of ScottishPower.
30 November, 1992

Commenting on the results, Mr Murray Stuart, Chairman of ScottishPower, said:

"We have continued to improve the efficiency of our business. This has contributed to increased profitability and low tariffs for our customers."



BUSINESS 21-27
Militant farmers
 — the bogeyman
 of world trade



ARTS 29-31
Yukio Ninagawa
 — a Japanese
 twist on the Bard



SPORT 40
A retirement that
 signals the end
 of a sporting era

**TELEVISION
 AND
 RADIO**
 Page 39

THE TIMES 2

TUESDAY DECEMBER 1 1992

Creator and creation: Bradman and the City's landmark Broadgate complex

BUSINESS TODAY

SHAKING UP

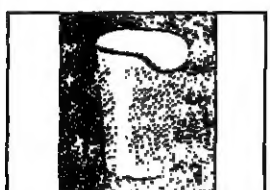


Michael Heseltine, the trade secretary, proposes a shake-up of the UK's competition legislation Page 23

STEPPING DOWN

The finance director of Costain, the construction group, has resigned after seven years Page 23

FROTHING UP



Greene King, the Suffolk brewer, held interim profits at £9.5 million and saw strong growth in catering Tempus, page 22

LAW TIMES



David Pannick previews a hearing at the European Court of Justice in Luxembourg on sex discrimination Page 33

THE POUND

US dollar 1.5162 (+0.0047)
 German mark 2.4163 (-0.0023)
 Exchange index 78.5 (+0.1)
 Bank of England official close (4pm)

STOCK MARKET

FT 30 share 2095.9 (+18.4)
 FT-SE 100 2778.8 (+18.7)
 New York Dow Jones 3288.41 (+6.21)
 Tokyo Nikkei Avge 17883.65 (+213.04)

INTEREST RATES

London Bank Base: 7%
 3-month interbank: 7 1/4%
 3-month office bills: 6 1/4%
 US: Prime Rate: 6%
 Federal Funds: 3 1/4%
 3-month Treasury Bills: 3.27-3.28%
 30-year bonds: 100-100 1/2

CURRENCIES

London: New York
 £: \$1.5160
 £: DM2.4087
 £: Sfr2.1750
 £: FF11.7765
 £: Yen188.26
 £: Index 78.5
 ECU: 30.619873
 ECU1: 228994
 London Foreign market close

GOLD

London: New York
 AM \$333.70 PM \$334.20
 Close \$334.40-334.90
 2222.50-221.50
 New York
 COMEX \$334.05-334.55

NO. 1 SEA OIL

Bront (Dec) \$19.25/bbl (\$19.05)

RENTAL PRICES

RPI: 139.9 October (1987=100)
 * Denotes midday trading price



Altering the skyline: Godfrey Bradman, former chairman of Rosehaugh, the joint developer of the City's largest scheme, built around Liverpool Street Station and housing some of the City's most prestigious firms



Rosehaugh forced to call in receivers

By NEIL BENNETT
 BANKING
 CORRESPONDENT

ROSEHAUGH, the property developer that changed the City's skyline during the eighties, has been forced to call in receivers after its attempts to organise a KPMG-backed Marwick audit failed. The company, which has debts of £350 million, asked Barclays yesterday afternoon to appoint receivers. The shares were suspended at 7.45 earlier in the day. Rosehaugh is best known for its 50 per cent stake in Rosehaugh Stanhope Developments, the property company that built the renowned Broadgate and Ludgate developments in the City.

Rosehaugh, high-profile darling of the eighties property market and joint developer of the landmark Broadgate scheme, has called in receivers after refinancing failed

Rosehaugh was the most glamorous property company on the stock market, and its shares reached a high of £1.75 before the stock market crash in 1987. But the company began to suffer financial strains as the property market stagnated. In February, Godfrey Bradman, the company's chairman, quit the board. Mr Bradman was the creative force behind Broadgate, the vast development around Liverpool Street Station that dominates the eastern half of the City and houses some of its most prestigious firms. In the past two years, Rosehaugh has sold many of

its other assets to cut debts, as its losses soared to £165 million in 1990 and £227 million the year after. The group's remaining properties are thought to be worth about £100 million, which means that the banks are unlikely to recover more than 30p in the pound and shareholders will get nothing. The company rescheduled its debts with its 26 banks in March and the agreement was expected to last until January 1994. But the continuing slump in property values is thought to have left Rosehaugh with negative net assets by year-end in June.

Leonard Kingshott and Barclays struggled to organise a further refinancing but admitted defeat at the end of last week. Stanhope Properties, Rosehaugh's partner in RSD, sought to calm City fears about its finances by saying that it was in the advanced stages of restructuring its own £160 million debt, and hoped to finish talks with its banks early next year. The statement added that RSD has restructured and extended its debts of £1.25 billion until September 1997. RSD is close to selling one of the Broadgate buildings to UBS Phillips & Drew, its tenant, for £200 million. Stuart Lipton, Stanhope's chief executive, said Rosehaugh's collapse was a shock, but RSD and Stanhope were still safe. "The joint venture has been refinanced for five years and that is good for everyone. In Stanhope we have good properties and that is the vital ingredient."

Telecoms threat by power trio

By MARTIN WALLER, DEPUTY CITY EDITOR



SCOTTISH Power, the larger of the two privatised power companies north of the border, is in talks with National Grid, the electricity carrier in England and Wales, about creating a countrywide rival to BT and Mercury in the telecommunications market. Scottish Hydro-Electric, the second of the Scottish companies, is also thought to be involved. That would extend the network to the northern part of the country. Both companies are known to have applied for licences to operate a telecoms business. Scottish Power will, in the course of the next year, be installing fibre-optic links within its existing communications network between Glasgow and Edinburgh, and south to the border with England. It is planned that these will be a key element in the venture, which would be targeted at large-scale users

such as banks and other financial institutions. "It's still at the blueprint stage, but it has gone further than just being a twinkle in the eye," said Ian Preston, the chief executive. "Scottish Power has seen telecommunications as a potential utility-based business to parallel the one we have in electricity. But there's nothing formal on the table at the moment. It's still toe-in-the-water stuff." Scottish Power was reporting pre-tax profits for the six months to September 30 of £95 million, up from £81.9 million last year, despite £13.3 million of exceptional charges. These comprise £23 million of future restructuring costs, offset by a credit from a technical reassessment of the cost of energy lost in transmission. The half-year dividend is ahead from 3.38p to 3.72p.

Preston: "toe in water"

Tempus, page 22

Comment, page 25

Open syndicates 'could cost £5.3 bn'

By SARAH BAGNALL

THE eventual total cost of settling existing and future claims against names on open Lloyd's syndicates could exceed £5.3 billion, according to a new review of the insurance market by the leading analyst. Chatet, publisher of the Lloyd's League Tables, predicts it will cost £5.3 billion to settle outstanding and anticipated claims against the names on the 102 syndicates with open years. Between them, they have a total of 162 years in run-off — years of account that cannot be closed because their total losses cannot be quantified. But if the estimated £5.3 billion — calculated on the basis of settlement in ten years' time and including legal expenses and bad debt reinsurance — was paid immediately, the burden on names would drop significantly to the far lower sum of £2 billion, representing a 20 per cent charge on every name's current

stamp capacity. Lloyd's has made provisions of about £2 billion to cover known and future liabilities. Chatet has taken a worst-case scenario for its forecasts. The bulk of the £5.3 billion figure is a result of continuing US liability with only £400 million being attributed by Chatet to claims on the excess-of-loss (LMX) reinsurance spiral. Charles Sturge, co-founder of Chatet, said big future claims are expected for syndicates involved in stop-loss reinsurance and estate protection plans. More than 1,000 names packed the Great Room at the Grosvenor House hotel, central London, yesterday, for a stormy annual meeting of the Gooda Walker Action Group. Alfred Doll-Steinberg, the action group's chairman, succumbed to fierce criticism over plans to pay the 12-member committee a success fee of 1.5 per cent of monies recovered through litigation, less an amount for costs, and dropped the resolution. Mr Doll-Steinberg said: "We

decided to withdraw the motion. It's clear the idea of a remuneration package was accepted, but the level of feeling was such that it was deemed inappropriate to put it to the vote." The question of remuneration will be put to the vote again at a special meeting in the latter half of January. But the names passed a resolution requesting a further levy of about 1 per cent of total losses to raise £2.8 million for a fighting fund. Steps to recover £273 million through the courts are expected to commence next year. This figure is likely to rise as future losses become known. The committee said a 25 per cent settlement would be considered a very poor result while 75 per cent would be a very good one. Gooda Walker was one of the largest players in the LMX market, which was savaged in the late 80s by a series of disasters including Piper Alpha and Hurricane Hugo. Losses on four LMX syndicates exceed £700 million.

Money supply data hint at pick-up in retail sales

By JANET BUSH, ECONOMICS CORRESPONDENT

THE Bank of England provided some cautious evidence yesterday that the consumer may at last be starting to stir. The Bank's provisional figures for narrow M0 money supply, which measures notes and coins in circulation and tends to be a good guide to consumer demand, showed a seasonally adjusted rise of 0.8 per cent last month. There was a significant increase of almost 3 per cent compared with a year ago, the fastest growth rate in any month this year. More dramatic still was a 7.7 per cent annualised rise over the past three months, although this series of statistics is not known for its accuracy. The money supply figures were hailed by some City economists as a definite sign of a green shoot of renewed economic activity. Peter Fellner, UK economist at NatWest Capital Markets, said: "There's no getting away from the fact that there has

been a pick-up out there." He said the money supply figures tended to support government statistics suggesting a very limited but clear pick-up in retail sales. However, other economists expressed caution over whether the figures could be interpreted as a clear sign of recovery. Retail sales account for only about 40 per cent of consumer spending and, while they were rising in the third quarter of this year, non-oil GDP was still sliding. Roger Bootle of Midland Montagu was sceptical that these figures signalled a real improvement in economic activity, noting that they flew in the face of other, much more gloomy, anecdotal evidence. Retailers, for example, are expressing deep disappointment at November sales. Figures from the Retail Consortium suggest the volume of sales in the first three weeks of November fell as much as 3

per cent on last year. James May, director-general, said that after a clear pick-up from August onwards, the November figures were "pretty bleak". He hoped the latest strong money supply figures would show up in the tills but they had not so far. Money market interest rates edged higher, partly in reaction to the money supply figures, with one-year rates trading at near 7 per cent from 6 1/2 per cent. This suggests the markets believe the government will be more cautious about initiating further cuts in interest rates in the short term. Jürgen Möllemann, German economics minister, said in a television interview that Germany could expect no growth in the first six months of next year and even a slight decline. He mentioned the word recession several times, the first time he has been so frank about the extent of the slowdown in Germany.

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